

HOUSE JOURNAL
OF THE
Forty-Eighth Legislature
OF THE
STATE OF WASHINGTON
AT
Olympia, the State Capitol

1984 Regular Session
Convened January 9, 1984
Adjourned Sine Die March 8, 1984



Wayne Ehlers, Speaker
John L. O'Brien, Speaker Pro Tempore
Dean R. Foster, Chief Clerk
Sharon L. Case, Assistant Chief Clerk
Eljo Sutherland, Minute/Journal Clerk

INDEX

1984 REGULAR SESSION

Jan. 9, 1984 - March 8, 1984	pages	1 - 1444
Roster of Members	pages	1446 - 1455
Governor's Veto Messages	pages	1464 - 1476
History of Bills	pages	1447 - 1527
General Index	pages	1528 - 1579

Compiled, Edited and Indexed by
Dean R. Foster, *Chief Clerk*
Eljo Sutherland, *Minute/Journal Clerk*

FIRST DAY
1984 REGULAR SESSION
NOON SESSION

House Chamber, Olympia, Wash., Monday, January 9, 1984

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Isaacson, Monohon and O'Brien, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rob Williams and Frank Lufkin. Prayer was offered by The Reverend Rick Quast, Minister of the Seventh Day Adventist Church of Lacey.

MESSAGE FROM THE SECRETARY OF STATE

The Honorable,
Speaker of the House of Representatives
The Legislature of the State of Washington
Olympia, Washington
Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that, according to the provisions of RCW 29.62.130, I have canvassed the returns of the votes cast for and against the constitutional amendments which were submitted to the vote of the people at the state general election held on the 8th day of November, 1983, that the total number of ballots cast at this state general election was 1,238,395 and that the total number of votes cast for and against each of these measures was as follows:

SENATE JOINT RESOLUTION NO. 103

"Shall a commission be appointed by legislative leaders to redistrict legislative and congressional districts each decade based on equal population?"

YES	639,981
NO	407,916

SENATE JOINT RESOLUTION 105

"Shall the state Constitution be amended to increase from thirty to fifty-five years the maximum term for state harbor leases?"

YES	383,081
NO	622,840

SENATE JOINT RESOLUTION 112

"Shall local governments marketing energy be permitted to use funds or credit to finance energy conservation by individuals and corporations?"

YES	405,820
NO	602,719

I, further certify that the following is a full, true, and correct abstract of votes cast at the State General Election held on the 8th day of November, 1983, as canvassed by me from the returns received from the County Auditors of the thirty-nine counties of the state for the office of United States Senator (5 year unexpired term) and for offices in joint legislative and judicial districts:

U.S. SENATE

Dan Evans	Republican	672,326
Mike Lowry	Democrat	540,981

STATE SENATE, 18th DISTRICT

Bill Hallanger	Republican	6,079
Alan Thompson	Democrat	12,356

STATE REPRESENTATIVE, 18th DISTRICT, Position 1

Linda A. Smith	Republican	9,866
Oliver J. Ristuben	Democrat	9,160

COURT OF APPEALS, Division 3, District 1

Philip J. Thompson	Nonpartisan	55,660
Michael F. Keyes	Nonpartisan	46,690

SUPERIOR COURT, Asotin, Columbia, Garfield

Jay Roy Jones	Nonpartisan	4,130
Donald W. Moore	Nonpartisan	2,590

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the State of Washington, this 8th day of December, 1983.

(Seal)

Laura Eckert, Assistant Secretary of State.

MESSAGE FROM KING COUNTY COUNCIL

November 10, 1983

Honorable Wayne Ehlers, Speaker
House of Representatives
Olympia, Washington
Dear Mr. Ehlers:

The King County Council in regular session on November 7, 1983, confirmed the appointment of Steve Van Luven to replace Washington State Representative Dan McDonald, 48th Legislative District.

Sincerely,

Dorothy M. Owens, Clerk of the Council.

MESSAGE FROM THE SNOHOMISH COUNTY COUNCIL

January 5, 1984

Honorable Ralph Munro
Secretary of State
Olympia, Washington
Dear Mr. Munro:

On January 4, 1984, the Snohomish County Council did appoint Pat Scott, first choice of the Snohomish County Democratic Central Committee, to replace John Martinis from the 38th Legislative District Seat in the Washington State House of Representatives.

Sincerely your,

Don Britton, Chairman
Snohomish County Council

OATH OF OFFICE

The Speaker appointed Representatives R. King, Sanders and Tanner to escort Ms. Pat Scott, Ms. Linda Smith and Mr. Steve Van Luven to the rostrum.

Justice Robert F. Brachtenbach issued the oath of office to the new members and the Speaker requested the committee to escort the Representatives to their seats within the House.

The Speaker appointed Representatives Armstrong and Padden to escort Justice Robert F. Brachtenbach from the House Chamber.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 84-103, by Representatives Heck and G. Nelson:

BE IT RESOLVED, That the Speaker appoint a committee of three members of the House to notify the Senate that the House of Representatives is now organized and ready to conduct business.

On motion of Mr. Heck, House Resolution No. 84-103 was adopted.

APPOINTMENT OF COMMITTEE

The Speaker appointed Representatives Kreidler, Halsan and Schmidt to notify the Senate that the House was organized and ready for business.

MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HCR 31 by Representatives Heck and G. Nelson

Beginning the legislative session.

MOTIONS

On motion of Mr. Heck, the rules were suspended and House Concurrent Resolution No. 31 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

House Concurrent Resolution No. 31 was adopted.

APPOINTMENT OF COMMITTEE

In accordance with the terms of House Concurrent Resolution No. 31, the Speaker appointed Representatives Gallagher, Scott and Struthers to notify the Governor that the Legislature was organized and ready for business.

REPORT OF SPECIAL COMMITTEE

A Committee from the Senate, consisting of Senators Rinehart, Woody and McDonald, appeared at the bar of the House and reported that the Senate was organized and ready for business.

The report was received and the committee was escorted from the House Chambers.

REPORT OF SPECIAL COMMITTEE

The Special Committee, appointed under the terms of House Resolution No. 84-103, appeared at the bar of the House and reported the Senate had been notified that the House was organized and ready for business.

The report was received and the committee was discharged.

MOTION

On motion of Mr. Heck, the House reverted to the third order of business.

MESSAGE FROM EXECUTIVE RULES COMMITTEE

January 9, 1984

Pursuant to House Floor Resolution No. 83-93 the Executive Rules Committee referred the following bills during the 1983 Interim:

SECOND READING

Bill No.	Short Title	From	To	Date
H53	Institutional loan fund	Rules	W&M	7/25/83
H82	Sales tax/non res/exempt	Rules 2	W&M	7/7/83
H113	Heating serv/loc gov (Sub)	Rules	E&U	7/7/83
H124	Notary fees	Rules 2	JUD	7/7/83
H162	Energy stand/new const (Sub)	Rules 2	E&U	11/1/83
H199	Tax pref/term. review	Rules 2	W&M	7/7/83
H252	Motor oil recycled (Sub)	Rules 2	ENV	7/7/83
H282	Truant school children (Sub)	Rules 2	ED	7/7/83
H292	Water poll control act	Rules 2	ENV	7/7/83
H302	Econ Dev Prov. modif (Sub)	Rules 2	CED	7/7/83
H315	Privacy/provisions (Sub)	Rules 2	JUD	7/7/83
SH316	Political advertising (AMD)	Rules 2	CEE	7/7/83
H345	Children/support of (Sub)	Rules 2	JUD	7/7/83
H346	SHS powers & duties (Sub)	Rules 2	SHS	12/7/83

H440	Agric comm warehouse (Sub)	Rules 2	AGR	7/7/83
H469	Controlled substances	Rules	SHS	12/7/83
H500	Oil & gas regulation (Sub)	Rules 2	NRS	12/7/83
H521	Homesteads/incr value (Sub)	Rules 2	JUD	7/7/83
H554	Monetary judg/coll (Sub)	Rules 2	JUD	7/7/83
H581	Prop annex/munic pur	Rules 2	LG	7/7/83
H631	Jt. oper agency/powers (Sub)	Rules 2	E&U	11/1/83
H635	State funds	Rules	W&M	7/7/83
H659	Local improve assess	Rules 2	LG	7/7/83
H687	Prov rel to banks (Sub)	Rules 2	FII	7/7/83
H762	Nursing home auditing (Sub)	Rules 2	W&M	7/7/83
H777	Annex/unincorp areas (Sub)	Rules 2	LG	7/7/83
H840	Consumer warranties (Sub)	Rules 2	JUD	7/7/83
H862	Contract/laws rev	Rules	CED	7/7/83
H876	Public ed. ad council (Sub)	Rules	ED	12/7/83
H887	Sanit. prog/tree fruit	Rules	AGR	7/7/83
H921	Meter tampering/theft (Sub)	Rules 2	E&U	12/7/83
H980	Aquatic lands (Sub)	Rules 2	NRS	7/7/83
HJR41	Constitut. amendment (Sub)	Rules 2	CED	7/7/83

THIRD READING

EH2	Energy-efficient buildings	Rules 3	E&U	12/7/83
H31	Deadly weap/rape 1st degree	Rules 3	JUD	7/7/83
ESH49	Adopting oper. budget	Rules 3	W&M	7/7/83
ESH52	Taxes 83-85 biennium	Rules 3	W&M	7/7/83
EH66	Child restraint/motor veh	Rules 3	TRN	7/7/83
SH71	Geothermal account	Rules 3	E&U	7/7/83
ESH84	Spec dist elec/land own	Rules 3	LG	7/7/83
SH85	Collective barg/pub employ	Rules 3	LAB	12/10/83
EH96	Whistle posts/RR cross	Rules 3	TRN	11/1/83
SH132	Vacation leave/pub employ	Rules 3	W&M	7/7/83
H138	Friv actions/costs	Rules 3	JUD	7/7/83
H145	Laws reg. common schools	Rules 3	ED	12/7/83
SH167	Family court laws	Rules 3	JUD	7/7/83
ESH181	Public lands	Rules 3	NRS	7/7/83
ESH213	Comm dev. fin corp	Rules 3	CED	7/7/83
ESH254	Housing finance comm	Rules 3	STG	7/7/83
EH257	Indus ins/agric employ	Rules 3	LAB	11/1/83
SH271	State Patrol retirement	Rules 3	W&M	7/7/83
SH306	Nonresid tuit/ID&BC	Rules 3	HED	7/7/83
H344	Regul prof corporations	Rules 3	JUD	7/7/83
E2SH352	Public assistance	Rules 3	W&M	7/25/83
ESH406	Expend by state agenc	Rules 3	W&M	7/7/83
SH439	Bond elec./schools, 40%	Rules 3	ED	12/7/83
ESH448	Disabled parking laws	Rules 3	SHS	7/7/83
ESH480	Surface mines	Rules 3	NRS	7/7/83
ESH509	Board of Health provisions	Rules 3	SHS	12/7/83
H524	Elig for med care services	Rules 3	W&M	12/7/83
EH536	MV excise tax/pub trans	Rules 3	TRN	7/7/83
SH538	Reg conduct on buses	Rules 3	TRN	7/7/83
SH550	Util rates/handicapped	Rules 3	E&U	11/1/83
EH618	Defer comp plans/st	Rules 3	STG	7/7/83
SH689	Small bus assist co. council	Rules 3	CED	7/7/83
SH700	Prov rel to rape	Rules 3	JUD	7/7/83
SH701	Expenses/state ferry system	Rules 3	TRN	7/7/83
SH708	Archaeological research	Rules 3	STG	7/7/83
H710	Elec gen facilities	Rules 3	E&U	11/1/8
SH717	Bonds/hazard waste invest	Rules 3	W&M	7/25/83
H739	Boilers, antique/permits	Rules 3	LAB	12/7/83
EH769	Vehicle size & load restric	Rules 3	TRN	7/7/83
EH803	Revenue from per lic plates	Rules 3	ENV	12/7/83

ESH816	Rev housing author powers	Rules 3	LG	7/7/83
SH856	Law enf/children tuition	Rules 3	HED	11/1/83
SH861	Ferries/duty-free shops	Rules 3	TRN	11/1/83
ESH863	Hazardous subs/warning	Rules 3	ENV	7/7/83
SH868	Vet/spec lic plates	Rules 3	TRN	7/7/83
SH954	Math & sei. state course	Rules 3	ED	12/7/83
ESH983	Motor vehicle excise tax	Rules 3	W&M	11/1/83
SH996	Savings & loan assns	Rules 3	FII	7/7/83
SH1016	Teacher education	Rules 3	ED	12/7/83
SH1017	School buses/axle req	Rules 3	ED	12/7/83
HJM5	Nuc attack/civil def. funds	Rules 3	SG	12/7/83
EHJM11	WPPSS financial resol	Rules 3	E&U	7/7/83
HJM30	Hanford/Natl energy center	Rules 3	E&U	7/7/83
SHJR19	Loans for ener conserva	Rules 3	E&U	7/7/83
SHJR29	Excess levy/40% validation	Rules	ED	12/7/83

RULES

H977	DWI, TO	Rules	JUD	11/1/83
H1015	Water rights, TO	Rules	AG	11/1/83
H1083	Fiscal matters, TO	Rules	W&M	10/05/83

STANDING COMMITTEES

ESH181	Public lands	NRS	W&M	10/05/83
H718	Peace offices/authority	LG	JUD	11/1/83
H914	Mech & matrlmn lien laws	CED	JUD	11/1/83

STUDY RESOLUTIONS ADOPTED

HCR25	Comparable Worth Implementation	7/7/83
HFR83-91	WPPSS, Financing	7/7/83

Dean R. Foster, Chief Clerk
Secretary, Executive Rules Committee

STANDING COMMITTEE APPOINTMENTS

Commerce & Economic Development: Remove Representative Addison; add Representative L. Smith.

Constitution, Elections & Ethics: Remove Representative Tanner; add Representative Scott.

Education: Remove Representatives Ristuben, Zellinsky; add Representatives Todd, Ebersole.

Energy & Utilities: Remove Representatives Martinis, Fiske; add Representatives Scott, Van Luven.

Higher Education: Remove Representatives Barrett, McDonald; add Representatives Fiske, Vander Stoep.

Judiciary: Remove Representative Hastings; add Representative L. Smith.

Local Government: Remove Representatives Ristuben, Mitchell; add Representatives Garrett, Van Luven.

Natural Resources: Remove Representatives Locke, Martinis, Vander Stoep; add Representatives Tanner, P. King, L. Smith.

Social & Health Services: Remove Representatives Ebersole, G. Nelson; add Representatives Scott, Mitchell.

State Government: Remove Representatives Walk, Chair; Niemi, Vice Chair; add Representatives Niemi, Chair; Vekich, Vice Chair.

Transportation: Remove Representatives Martinis, Chair; Ristuben, Sanders; add Representatives Walk, Chair; Zellinsky, Locke, Van Luven.

Ways & Means: Remove Representative McDonald; add Representative Sanders.

Rules: Remove Representative McDonald; add Representative Schmidt.

INTERIM COMMITTEE APPOINTMENTS

Governor's Tourism Development: Remove Representative Ristuben; add Representative Smitherman.

Mt. St. Helens Recovery Operation (RCW 44.04.500): Remove Representatives Ristuben, Nealey; add Representatives Tanner, L. Smith.

Joint Select Committee on Comparable Worth Implementation (HCR 25): Remove Representative McDonald; add Representative Patrick.

Governor's Hazardous Materials Advisory Board: Add Representatives Wang, Hankins.

Governor's Advisory Committee on State Liquor Policy: Add Representatives Appelwick, Sanders.

Energy Financing & Development (HFR 83-91): Representatives Allen, Isaacson, Locke, Lux, Moon, D. Nelson, Sanders, Tilly.

Comparable Worth Implementation (HCR 25): Representatives Belcher, Brough, Hine.

International Trade, Tourism and Investment (ESCR 127): Representatives Ehlers, Hastings, Heck, Hine, Johnson, J. King, G. Nelson.

Telecommunication Regulation (ESSCR 120): Representatives Armstrong, Fiske, Jacobsen, Nealey.

Medical Malpractice (Exec. Rules): Representatives Appelwick, Armstrong, Ballard, Broback, Kreidler, Lux, Monohon, Niemi, Tilly.

REPORT OF SPECIAL COMMITTEE

The Special Committee appointed under the terms of HCR 31, appeared at the bar of the House and reported that the Governor had been notified that the Legislature was organized and ready for business.

The report was received and the committee was discharged.

MOTION

On motion of Mr. Heck, the House advanced to the fourth order of business.

MESSAGE FROM THE SENATE

January 9, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 137,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SCR 137 by Senators Bottiger, Fleming, Hayner and Sellar

Reintroducing bills introduced at the 1983 regular and special sessions of the 48th Legislature.

On motion of Mr. Heck, the rules were suspended and Senate Concurrent Resolution No. 137 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage and adopted.

MESSAGE FROM THE SENATE

January 9, 1984

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 31,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1101 by Representatives Tilly, Pruitt, Barnes, Brough, Crane, Dellwo, Fisch, J. King, Lewis, McMullen, Mitchell, Sanders, Sutherland, P. King, Hine, Miller, Halsan and L. Smith

AN ACT Relating to absentee voting; amending section 29.36.010, chapter 9, Laws of 1965 as last amended by section 76, chapter 361, Laws of 1977 ex. sess. and RCW 29.36.010; and amending section 29.36.035, chapter 9, Laws of 1965 and RCW 29.36.035.

Referred to Committee on Constitution, Elections & Ethics.

HB 1102 by Representative Halsan

AN ACT Relating to forest protection; amending section 1, chapter 102, Laws of 1977 ex. sess. as last amended by section 1, chapter 299, Laws of 1983 and RCW 76.04.360; and amending section 8, chapter 207, Laws of 1971 ex. sess. as last amended by section 2, chapter 299, Laws of 1983 and RCW 76.04.515.

Referred to Committee on Natural Resources.

HB 1103 by Representatives Wang, Lux, Sanders, Ballard, Kreidler, Brough, Lewis, Mitchell, Van Luven, Barrett and Schoon

AN ACT Relating to newborn insurance coverage; amending section 3, chapter 139, Laws of 1974 ex. sess. as amended by section 5, chapter 202, Laws of 1983 and RCW 48.44.212; amending section 12, chapter 202, Laws of 1983 and RCW 48.46.250; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1104 by Representatives Fisch, Fisher, Patrick, Long, D. Nelson and Halsan

AN ACT Relating to public employees; and amending section 25, chapter 1, Laws of 1961 as amended by section 1, chapter 136, Laws of 1974 ex. sess. and RCW 41.06.250.

Referred to Committee on Constitution, Elections & Ethics.

HB 1105 by Representatives Ebersole, Kreidler, Dellwo, Miller, Braddock, Stratton, Crane and Fisch

AN ACT Relating to birth defects; and adding new sections to chapter 70.58 RCW.

Referred to Committee on Social & Health Services.

HB 1106 by Representatives Halsan, Appelwick, Tilly, P. King, Crane, Schmidt, Wang, Cantu, Locke, West, Bietrozzoff, Broback, Brough, Charnley, Ebersole, Padden, Patrick, Sanders, Silver, Tanner, Walk, Stratton, Barrett, Ballard, Hine, Schoon, Clayton, Todd, Miller, L. Smith and Powers

AN ACT Relating to computer trespass; adding a new section to chapter 9A.52 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1107 by Representatives Ebersole, Hankins, Niemi, J. King, Lewis, Tanner, P. King, O'Brien, Todd and Halsan (by Planning and Community Affairs Agency request)

AN ACT Relating to allocation of bonds of the housing finance commission; and amending section 20, chapter 161, Laws of 1983 and RCW 43.180.200.

Referred to Committee on State Government.

HB 1108 by Representatives Heck, Sommers and B. Williams (by Legislative Budget Committee request)

AN ACT Relating to veterans' loan insurance; amending section 43.19.015, chapter 8, Laws of 1965 as last amended by section 101, chapter 3, Laws of 1983 and RCW 43.19.015; repealing section 1, chapter 217, Laws of 1945 and RCW 73.12.010; repealing section 4, chapter 217, Laws of 1945 and RCW 73.12.030; repealing section 5, chapter 217, Laws of 1945 and RCW 73.12.040; repealing section 6, chapter 217, Laws of 1945 and RCW 73.12.050; and repealing section 7, chapter 217, Laws of 1945, section 42, chapter 3, Laws of 1981 and RCW 73.12.060.

Referred to Committee on State Government.

HB 1109 by Representatives Sommers, B. Williams, Vander Stoep, R. King, Sanders, Van Dyken, J. Williams, Brekke and Todd (by Legislative Budget Committee request)

AN ACT Relating to life-cycle cost in public buildings; and adding a new chapter to Title 39 RCW to be designated as chapter 39.35A RCW.

Referred to Committee on State Government.

HB 1110 by Representatives Heck, Tilly, Sommers, Vander Stoep, B. Williams, Egger and P. King (by Legislative Budget Committee request)

AN ACT Relating to the governor's council on criminal justice; repealing section 1, chapter 79, Laws of 1979, section 9, chapter 213, Laws of 1981 and RCW 43.06.300; repealing section 2, chapter 79, Laws of 1979 and RCW 43.06.310; repealing section 3, chapter 79, Laws of 1979 and RCW 43.06.320; repealing section 4, chapter 79, Laws of 1979 and RCW 43.06.330; and repealing section 5, chapter 79, Laws of 1979 and RCW 43.06.340.

Referred to Committee on State Government.

HB 1111 by Representatives Ellis, Tanner, Tilly and Clayton

AN ACT Relating to the Milwaukee Road; and creating new sections.

Referred to Committee on Agriculture.

HB 1112 by Representatives West, Patrick, Zellinsky, Hankins, Ballard, Halsan, Miller, Van Luven, L. Smith, Betzoff, Broback, Brough, Crane, Ebersole, Fisch, Fuhrman, Galloway, Hastings, Johnson, Lewis, Mitchell, Padden, Sanders, Silver, Van Dyken, J. Williams, Wilson, Long, Struthers, Stratton, Barnes, Barrett, Schoon, Clayton, Cantu and Schmidt

AN ACT Relating to the sexual exploitation of children and child pornography; amending section 1, chapter 53, Laws of 1980 and RCW 9.68A.010; adding new sections to chapter 9.68A RCW; creating a new section; repealing section 2, chapter 53, Laws of 1980 and RCW 9.68A.020; repealing section 3, chapter 53, Laws of 1980 and RCW 9.68A.030; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1113 by Representatives P. King and Wang

AN ACT Relating to insurance rates; amending section 19.01, chapter 79, Laws of 1947 and RCW 48.19.010; adding a new chapter to Title 48 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Financial Institutions & Insurance.

HB 1114 by Representatives Smitherman, Tanner and Halsan

AN ACT Relating to capital budgeting; adding new sections to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 1115 by Representatives West, Zellinsky, Hankins, Ballard, Patrick, Miller, P. King, Van Luven, Broback, Brough, Hastings, Johnson, Lewis, Mitchell, Padden, Silver, Wilson, Long, Stratton, Haugen, Barnes, Schoon, Clayton, Cantu, Schmidt and L. Smith

AN ACT Relating to reporting child pornography; adding a new section to chapter 9.68A RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1116 by Representatives Pruitt, Belcher and Lux

AN ACT Relating to studded tires; amending section 46.37.420, chapter 12, Laws of 1961 as last amended by section 1, chapter 32, Laws of 1971 ex. sess. and RCW 46.37.420; and amending section 2, chapter 7, Laws of 1969 ex. sess. as amended by section 1, chapter 255, Laws of 1975 1st ex. sess. and RCW 47.36.250.

Referred to Committee on Transportation.

HB 1117 by Representatives Kaiser, Barnes, Zellinsky, Walk, Ebersole, Grimm and R. King

AN ACT Relating to mobile home landlords and tenants; amending section 8, chapter 279, Laws of 1977 ex. sess. as last amended by section 21, chapter 304, Laws of 1981 and RCW 59.20.080; amending section 9, chapter 279, Laws of 1977 ex. sess. as last amended

by section 2, chapter 152, Laws of 1980 and RCW 59.20.090; and adding a new section to chapter 59.20 RCW.

Referred to Committee on Judiciary.

HB 1118 by Representatives Heck, B. Williams, Kreidler, Johnson, Sutherland, Tanner, Dellwo, Ebersole, Galloway, J. King, McClure, Silver, Taylor, Tilly, West, Stratton, Egger, P. King, Barrett, Ballard, Braddock, Holland, Clayton, Cantu, L. Smith and Struthers

AN ACT Relating to pollution control tax credits; amending section 1, chapter 139, Laws of 1967 ex. sess. as last amended by section 1, chapter 9, Laws of 1981 2nd ex. sess. and RCW 82.34.010; and adding a new section to chapter 82.34 RCW.

Referred to Committee on Ways & Means.

HB 1119 by Representatives Walk, Sayan and Todd

AN ACT Relating to state purchases; amending section 43.19.200, chapter 8, Laws of 1965 as amended by section 111, chapter 81, Laws of 1971 and RCW 43.19.200; amending section 43.19.1906, chapter 8, Laws of 1965 as last amended by section 1, chapter 141, Laws of 1983 and RCW 43.19.1906; and creating a new section.

Referred to Committee on State Government.

HB 1120 by Representatives Armstrong, Padden, Brough, Crane, Fuhrman, Tanner, P. King, Barnes and L. Smith

AN ACT Relating to juvenile records; and amending section 9, chapter 155, Laws of 1979 as last amended by section 19, chapter 191, Laws of 1983 and RCW 13.50.050.

Referred to Committee on Judiciary.

HB 1121 by Representatives Armstrong, Padden, Tanner, P. King and Clayton

AN ACT Relating to explosives crimes; amending section 18, chapter 111, Laws of 1931 as amended by section 21, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.180; and amending section 400, chapter 249, Laws of 1909 as last amended by section 8, chapter 302, Laws of 1971 ex. sess. and RCW 70.74.270.

Referred to Committee on Judiciary.

HB 1122 by Representatives Monohon, Brough, Ebersole, Galloway, Grimm, Sayan, Walk, Barnes, Ballard, Todd and Miller

AN ACT Relating to part-time teachers' retirement; and amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010.

Referred to Committee on Ways & Means.

HB 1123 by Representatives Monohon, Grimm, J. King, Wang and Halsan

AN ACT Relating to state employees' insurance; and amending section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 91, chapter 3, Laws of 1983 and RCW 41.05.025.

Referred to Committee on Ways & Means.

HB 1124 by Representatives Moon, Van Dyken, Brough, Isaacson, D. Nelson and Miller

AN ACT Relating to government borrowing; amending section 26, chapter 153, Laws of 1957 as last amended by section 18, chapter 167, Laws of 1983 and RCW 17.28.260; amending section 6, chapter 59, Laws of 1955 as last amended by section 19, chapter 167, Laws of 1983 and RCW 27.12.060; amending section 7, chapter 59, Laws of 1955 as last amended by section 6, chapter 195, Laws of 1973 1st ex. sess. and RCW 27.12.070; amending section 1, chapter 59, Laws of 1955 as last amended by section 11, chapter 123, Laws of 1982 and RCW 27.12.222; amending section 2, chapter 59, Laws of 1955 as last amended by section 20, chapter 167, Laws of 1983 and RCW 27.12.223; amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 167, Laws of 1983 and RCW 28A.51.010; amending section 28A.51.020, chapter 223, Laws of 1969 ex. sess. as amended by section 9, chapter 42, Laws of 1970 ex. sess. and RCW 28A.51.020; amending section 28A.51.070, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 167, Laws of 1983 and RCW 28A.51.070; amending section 28A.51.180, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 167, Laws of 1983 and RCW 28A.51.180; amending section 28A.52.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 28, chapter 167, Laws of 1983 and RCW 28A.52.050; amending

section 35.37.040, chapter 7, Laws of 1965 as amended by section 12, chapter 42, Laws of 1970 ex. sess. and RCW 35.37.040; amending section 35.37.050, chapter 7, Laws of 1965 and RCW 35.37.050; amending section 35.37.090, chapter 7, Laws of 1965 as amended by section 36, chapter 167, Laws of 1983 and RCW 35.37.090; amending section 1, chapter 11, Laws of 1970 ex. sess. as last amended by section 47, chapter 167, Laws of 1983 and RCW 35.58.450; amending section 6, chapter 110, Laws of 1967 as amended by section 49, chapter 167, Laws of 1983 and RCW 35.59.060; amending section 35.60.040, chapter 7, Laws of 1965 as amended by section 51, chapter 167, Laws of 1983 and RCW 35.60.040; amending section 35.61.100, chapter 7, Laws of 1965 as last amended by section 1, chapter 61, Laws of 1983 and RCW 35.61.100; amending section 35.67.070, chapter 7, Laws of 1965 and RCW 35.67.070; amending section 35.92.080, chapter 7, Laws of 1965 as last amended by section 67, chapter 167, Laws of 1983 and RCW 35.92.080; amending section 35A.40.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.40.010; amending section 6, chapter 175, Laws of 1982 as amended by section 71, chapter 167, Laws of 1983 and RCW 36.58.150; amending section 36.62.070, chapter 4, Laws of 1963 as last amended by section 72, chapter 167, Laws of 1983 and RCW 36.62.070; amending section 36.67.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 76, Laws of 1971 and RCW 36.67.010; amending section 36.67.060, chapter 4, Laws of 1963 as last amended by section 77, chapter 167, Laws of 1983 and RCW 36.67.060; amending section 13, chapter 218, Laws of 1963 as last amended by section 83, chapter 167, Laws of 1983 and RCW 36.68.520; amending section 36.69.140, chapter 4, Laws of 1963 as last amended by section 84, chapter 167, Laws of 1983 and RCW 36.69.140; amending section 36.76.090, chapter 4, Laws of 1963 as last amended by section 91, chapter 167, Laws of 1983 and RCW 36.76.090; amending section 36.76.100, chapter 4, Laws of 1963 and RCW 36.76.100; amending section 36.76.120, chapter 4, Laws of 1963 as amended by section 92, chapter 167, Laws of 1983 and RCW 36.76.120; amending section 4, chapter 109, Laws of 1967 as last amended by section 99, chapter 167, Laws of 1983 and RCW 36.89.040; amending section 20, chapter 72, Laws of 1967 as last amended by section 101, chapter 167, Laws of 1983 and RCW 36.94.200; amending section 3, chapter 151, Laws of 1923 as last amended by section 106, chapter 167, Laws of 1983 and RCW 39.44.030; amending section 1, chapter 170, Laws of 1895 as amended by section 1, chapter 145, Laws of 1917 and RCW 39.52.010; amending section 2, chapter 170, Laws of 1895 as last amended by section 113, chapter 167, Laws of 1983 and RCW 39.52.020; amending section 6, chapter 170, Laws of 1895 and RCW 39.52.050; amending section 3, chapter 176, Laws of 1953 as last amended by section 122, chapter 167, Laws of 1983 and RCW 52.16.061; amending section 3, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 50, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.080; amending section 12, chapter 65, Laws of 1955 as last amended by section 32, chapter 42, Laws of 1970 ex. sess. and RCW 53.36.030; amending section 1, chapter 239, Laws of 1947 and RCW 53.44.010; amending section 3, chapter 239, Laws of 1947 and RCW 53.44.030; amending section 8, chapter 390, Laws of 1955 as last amended by section 144, chapter 167, Laws of 1983 and RCW 54.16.070; amending section 1, chapter 12, Laws of 1971 as amended by section 146, chapter 167, Laws of 1983 and RCW 54.24.018; amending section 14, chapter 210, Laws of 1941 as last amended by section 63, chapter 195, Laws of 1973 1st ex. sess. and RCW 56.16.010; amending section 17, chapter 210, Laws of 1941 as last amended by section 4, chapter 300, Laws of 1977 ex. sess. and RCW 56.16.030; amending section 18, chapter 210, Laws of 1941 as last amended by section 155, chapter 167, Laws of 1983 and RCW 56.16.040; amending section 42, chapter 210, Laws of 1941 as last amended by section 34, chapter 42, Laws of 1970 ex. sess. and RCW 56.16.050; amending section 16, chapter 250, Laws of 1953 as last amended by section 8, chapter 300, Laws of 1977 ex. sess. and RCW 56.16.115; amending section 1, chapter 31, Laws of 1974 ex. sess. and RCW 57.16.020; amending section 9, chapter 18, Laws of 1959 as last amended by section 6, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.040; amending section 11, chapter 114, Laws of 1929 as last amended by section 162, chapter 167, Laws of 1983 and RCW 57.20.010; amending section 16, chapter 251, Laws of 1953 as last amended by section 163, chapter 167, Laws of 1983 and RCW 57.20.015; amending section 20, chapter 114, Laws of 1929 as amended by section 36, chapter 42, Laws of 1970 ex. sess. and RCW 57.20.120; amending section 8, chapter 236, Laws of 1967 and RCW 67.28.150; amending section 11, chapter 22, Laws of 1982 1st ex. sess. as amended by section 169, chapter 167, Laws of 1983 and RCW 67.38.110; amending section 11, chapter 6, Laws of 1947 as amended by section 6, chapter 164, Laws of 1967 and RCW 68.16.110; amending section 6, chapter 264, Laws of 1945 as last amended by section 172, chapter 167, Laws of 1983 and RCW 70.44.060; amending section 12, chapter 264, Laws of 1945 as last amended by section 3, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.110; amending section 14, chapter 264, Laws of 1945 as amended by section 3, chapter 218, Laws of 1971 ex. sess. and RCW 70.44.130; reenacting and amending section 17, chapter 153, Laws of 1961 as amended by section 211, chapter 167, Laws of 1983 and by section 21, chapter 315, Laws of 1983 and RCW 86.15.170; amending section 134, chapter 254, Laws of 1927 as amended by section 38, chapter 42, Laws of 1970 ex. sess. and RCW 89.30.400; amending section 135, chapter 254, Laws of 1927 as amended by section 39, chapter 42, Laws of 1970 ex. sess. and RCW 89.30.403; amending section 138, chapter 254,

Laws of 1927 as amended by section 250, chapter 167, Laws of 1983 and RCW 89.30.412; adding a new section to chapter 39.36 RCW; adding a new section to chapter 39.46 RCW; creating a new section; recodifying RCW 39.44.030 as a new section in chapter 39.46 RCW; repealing section 28A.51.030, chapter 223, Laws of 1969 ex. sess., section 22, chapter 167, Laws of 1983 and RCW 28A.51.030; repealing section 28A.51.055, chapter 223, Laws of 1969 ex. sess., section 23, chapter 167, Laws of 1983 and RCW 28A.51.055; repealing section 28A.51.056, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.056; repealing section 28A.51.057, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.057; repealing section 28A.51.058, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.058; repealing section 28A.51.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.210; repealing section 28A.52.055, chapter 223, Laws of 1969 ex. sess., section 29, chapter 167, Laws of 1983 and RCW 28A.52.055; repealing section 35.37.060, chapter 7, Laws of 1965 and RCW 35.37.060; repealing section 35.37.070, chapter 7, Laws of 1965 and RCW 35.37.070; repealing section 35.37.100, chapter 7, Laws of 1965, section 37, chapter 167, Laws of 1983 and RCW 35.37.100; repealing section 35.40.010, chapter 7, Laws of 1965 and RCW 35.40.010; repealing section 35.40.020, chapter 7, Laws of 1965 and RCW 35.40.020; repealing section 35.40.040, chapter 7, Laws of 1965 and RCW 35.40.040; repealing section 35.40.050, chapter 7, Laws of 1965 and RCW 35.40.050; repealing section 35.61.160, chapter 7, Laws of 1965, section 2, chapter 61, Laws of 1983, section 53, chapter 167, Laws of 1983 and RCW 35.61.160; repealing section 35.61.170, chapter 7, Laws of 1965, section 19, chapter 232, Laws of 1969 ex. sess., section 41, chapter 56, Laws of 1970 ex. sess., section 54, chapter 167, Laws of 1983 and RCW 35.61.170; repealing section 35.67.080, chapter 7, Laws of 1965, section 20, chapter 232, Laws of 1969 ex. sess., section 42, chapter 56, Laws of 1970 ex. sess., section 57, chapter 167, Laws of 1983 and RCW 35.67.080; repealing section 35.67.090, chapter 7, Laws of 1965, section 58, chapter 167, Laws of 1983 and RCW 35.67.090; repealing section 35.67.100, chapter 7, Laws of 1965 and RCW 35.67.100; repealing section 36.62.080, chapter 4, Laws of 1963, section 73, chapter 167, Laws of 1983 and RCW 36.62.080; repealing section 36.67.030, chapter 4, Laws of 1963, section 79, chapter 3, Laws of 1983, section 74, chapter 167, Laws of 1983 and RCW 36.67.030; repealing section 36.67.040, chapter 4, Laws of 1963, section 3, chapter 107, Laws of 1967, section 5, section 142, Laws of 1969, section 1, chapter 145, Laws of 1980, section 10, chapter 156, Laws of 1981, section 75, chapter 167, Laws of 1983 and RCW 36.67.040; repealing section 36.67.050, chapter 4, Laws of 1963, section 76, chapter 167, Laws of 1983 and RCW 36.67.050; repealing section 1, chapter 151, Laws of 1923, section 1, chapter 141, Laws of 1961, section 1, chapter 74, Laws of 1965 ex. sess., section 105, chapter 167, Laws of 1983 and RCW 39.44.010; repealing section 4, chapter 74, Laws of 1965 ex. sess. and RCW 39.44.011; repealing section 2, chapter 151, Laws of 1923, section 2, chapter 74, Laws of 1965 ex. sess., section 6, chapter 188, Laws of 1975 1st ex. sess. and RCW 39.44.020; repealing section 4, chapter 151, Laws of 1923 and RCW 39.44.060; repealing section 6, chapter 151, Laws of 1923 and RCW 39.44.080; repealing section 1, chapter 180, Laws of 1939 and RCW 39.44.090; repealing section 3, chapter 170, Laws of 1895, section 1, chapter 54, Laws of 1901, section 1, chapter 204, Laws of 1909, section 114, chapter 167, Laws of 1983 and RCW 39.52.030; repealing section 4, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.090; repealing section 5, chapter 24, Laws of 1951 2nd ex. sess., section 40, chapter 232, Laws of 1969 ex. sess., section 67, chapter 56, Laws of 1970 ex. sess., section 124, chapter 167, Laws of 1983 and RCW 52.16.100; repealing section 6, chapter 24, Laws of 1951 2nd ex. sess., section 125, chapter 167, Laws of 1983 and RCW 52.16.110; repealing section 7, chapter 24, Laws of 1951 2nd ex. sess., section 51, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.120; repealing section 1, chapter 7, Laws of 1941 and RCW 53.43.010; repealing section 2, chapter 7, Laws of 1941 and RCW 53.43.020; repealing section 3, chapter 7, Laws of 1941, section 141, chapter 167, Laws of 1983 and RCW 53.43.030; repealing section 4, chapter 7, Laws of 1941, section 17, chapter 156, Laws of 1981, section 142, chapter 167, Laws of 1983 and RCW 53.43.040; repealing section 5, chapter 7, Laws of 1941 and RCW 53.43.050; repealing section 6, chapter 7, Laws of 1941 and RCW 53.43.060; repealing section 7, chapter 7, Laws of 1941 and RCW 53.43.070; repealing section 2, chapter 239, Laws of 1947, section 91, chapter 232, Laws of 1969 ex. sess., section 76, chapter 56, Laws of 1970 ex. sess., section 143, chapter 167, Laws of 1983 and RCW 53.44.020; repealing section 4, chapter 239, Laws of 1947 and RCW 53.44.040; repealing section 13, chapter 264, Laws of 1945, section 3, chapter 65, Laws of 1969 ex. sess., section 86, chapter 56, Laws of 1970 ex. sess., section 173, chapter 167, Laws of 1983 and RCW 70.44.120; repealing section 136, chapter 254, Laws of 1927 and RCW 89.30.406; repealing section 137, chapter 254, Laws of 1927 and RCW 89.30.409; repealing section 139, chapter 254, Laws of 1927, section 251, chapter 167, Laws of 1983 and RCW 89.30.415; repealing section 140, chapter 254, Laws of 1927, section 61, chapter 232, Laws of 1969 ex. sess., section 102, chapter 56, Laws of 1970 ex. sess., section 252, chapter 167, Laws of 1983 and RCW 89.30.418; repealing section 141, chapter 254, Laws of 1927, section 253, chapter 167, Laws of 1983 and RCW 89.30.421; repealing section 142, chapter 254, Laws of 1927 and RCW 89.30.424; repealing section 271, chapter 167, Laws of 1983; and repealing section 272, chapter 167, Laws of 1983.

Referred to Committee on Local Government.

HB 1125 by Representatives McClure, Lewis, Sayan, Smitherman, Braddock, Niemi, Dellwo, Ballard, Wang, Brough, Ebersole, Fisher, Jacobsen, J. King, Patrick, Tanner, Vekich, Brække, Ellis, Barrett, Miller, Halsan and L. Smith

AN ACT Relating to community mental health services; amending section 2, chapter 204, Laws of 1982 and RCW 71.24.015; amending section 3, chapter 204, Laws of 1982 and RCW 71.24.025; amending section 4, chapter 204, Laws of 1982 and RCW 71.24.035; and amending section 5, chapter 204, Laws of 1982 and RCW 71.24.045.

Referred to Committee on Social & Health Services.

HB 1126 by Representative Pruitt

AN ACT Relating to shellfish licenses.

Referred to Committee on Natural Resources.

HB 1127 by Representatives Hine, Brough, Ballard and Clayton

AN ACT Relating to the transfer of a sewerage or water system from a county to a municipal corporation; and adding new sections to chapter 36.94 RCW.

Referred to Committee on Local Government.

HB 1128 by Representatives Charnley and Brough

AN ACT Relating to filling vacancies of special purpose district representatives on metropolitan councils; and amending section 35.58.150, chapter 7, Laws of 1965 as amended by section 5, chapter 105, Laws of 1967 and RCW 35.58.150.

Referred to Committee on Local Government.

HB 1129 by Representatives D. Nelson, Niemi, R. King, Hankins, Lux, Isaacson, Rust, Tanner, Haugen, Heck, Belcher, Brough, McMullen, Brække, Burns, Halsan and Powers

AN ACT Relating to emergency services plans; and amending section 8, chapter 178, Laws of 1951 as amended by section 9, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.070.

Referred to Committee on State Government.

HB 1130 by Representatives Moon and Van Dyken

AN ACT Relating to duties of county officials; amending section 36.18.110, chapter 4, Laws of 1963 and RCW 36.18.110; amending section 36.18.120, chapter 4, Laws of 1963 and RCW 36.18.120; amending section 1, chapter 65, Laws of 1921 and RCW 4.64.010; amending section 307, page 75, Laws of 1869 as last amended by section 2, chapter 28, Laws of 1983 and RCW 4.64.030; and amending section 16, chapter 98, Laws of 1979 and RCW 26.27.160.

Referred to Committee on Local Government.

HB 1131 by Representatives McClure, Fisch, Pruitt and Betrozoff

AN ACT Relating to the Hood Canal bridge; amending section 47.60.010, chapter 13, Laws of 1961 and RCW 47.60.010; amending section 1, chapter 341, Laws of 1981 and RCW 47.60.013; amending section 1, chapter 105, Laws of 1974 ex. sess. and RCW 47.60.017; amending section 47.60.020, chapter 13, Laws of 1961 and RCW 47.60.020; amending section 47.60.060, chapter 13, Laws of 1961 as last amended by section 28, chapter 106, Laws of 1973 and RCW 47.60.060; amending section 47.60.130, chapter 13, Laws of 1961 as last amended by section 6, chapter 189, Laws of 1979 ex. sess. and RCW 47.60.130; amending section 47.60.140, chapter 13, Laws of 1961 as amended by section 58, chapter 170, Laws of 1965 ex. sess. and RCW 47.60.140; amending section 47.60.170, chapter 13, Laws of 1961 as amended by section 6, chapter 85, Laws of 1970 ex. sess. and RCW 47.60.170; amending section 5, chapter 344, Laws of 1981 as amended by section 25, chapter 15, Laws of 1983 and RCW 47.60.326; amending section 26, chapter 15, Laws of 1983 and RCW 47.60.330; amending section 3, chapter 9, Laws of 1961 ex. sess. and RCW 47.60.420; amending section 5, chapter 9, Laws of 1961 ex. sess. as last amended by section 139, chapter 3, Laws of 1983 and RCW 47.60.440; amending section 6, chapter 9, Laws of 1961 ex. sess. and RCW 47.60.450; amending section 1, chapter 184, Laws of 1981 and RCW 47.60.504; adding a new section to chapter 47.60 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1132 by Representatives Pruitt, Fisher and Miller

AN ACT Relating to public disclosure; amending section 3, chapter 1, Laws of 1973 as amended by section 2, chapter 313, Laws of 1977 ex. sess. and RCW 42.17.030; and repealing section 1, chapter 60, Laws of 1982 and RCW 42.17.405.

Referred to Committee on Constitution, Elections & Ethics.

HB 1133 by Representatives Sommers, Long, Jacobsen, Fisher, Miller, Barnes, Pruitt, Schoon, Patrick, Wang, Todd and Lux

AN ACT Relating to political advertising; adding new sections to chapter 42.17 RCW; repealing section 29.85.270, chapter 9, Laws of 1965, section 1, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.270; and repealing section 29.85.280, chapter 9, Laws of 1965, section 2, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.280.

Referred to Committee on Constitution, Elections & Ethics.

HB 1134 by Representatives Haugen, Broback, Todd, Moon, Charnley and Wilson

AN ACT Relating to special districts; amending section 4, chapter 117, Laws of 1895 and RCW 85.05.040; amending section 5, chapter 117, Laws of 1895 as last amended by section 1, chapter 84, Laws of 1915 and RCW 85.05.050; amending section 8, chapter 117, Laws of 1895 as amended by section 5, chapter 146, Laws of 1921 and RCW 85.05.085; amending section 3, chapter 43, Laws of 1913 and RCW 85.05.580; amending section 4, chapter 115, Laws of 1895 and RCW 85.06.040; amending section 5, chapter 115, Laws of 1895 as last amended by section 1, chapter 183, Laws of 1941 and RCW 85.06.050; amending section 19, chapter 176, Laws of 1913 as last amended by section 1, chapter 89, Laws of 1925 ex. sess. and RCW 85.08.290; amending section 20, chapter 176, Laws of 1913 as last amended by section 1, chapter 120, Laws of 1965 and RCW 85.08.300; amending section 4, chapter 130, Laws of 1917 and RCW 85.08.610; amending section 3, chapter 131, Laws of 1917 and RCW 85.20.030; amending section 5, chapter 131, Laws of 1917 and RCW 85.20.050; amending section 3, chapter 182, Laws of 1933 and RCW 85.22.030; amending section 5, chapter 182, Laws of 1933 and RCW 85.22.050; amending section 7, chapter 182, Laws of 1933 and RCW 85.22.070; amending section 3, chapter 225, Laws of 1909 and RCW 85.24.030; amending section 4, chapter 225, Laws of 1909 as amended by section 3, chapter 140, Laws of 1923 and RCW 85.24.040; amending section 2, chapter 154, Laws of 1967 and RCW 85.36.010; amending section 3, chapter 72, Laws of 1937 and RCW 86.09.007; amending section 48, chapter 72, Laws of 1937 as amended by section 6, chapter 154, Laws of 1967 and RCW 86.09.142; amending section 49, chapter 72, Laws of 1937 and RCW 86.09.145; adding a new chapter to Title 85 RCW; adding a new section to chapter 85.05 RCW; adding a new section to chapter 85.06 RCW; adding new sections to chapter 85.08 RCW; adding a new section to chapter 85.24 RCW; adding a new section to chapter 85.36 RCW; adding new sections to chapter 86.09 RCW; repealing section 1, chapter 84, Laws of 1953 and RCW 85.05.060; repealing section 4, chapter 131, Laws of 1917 and RCW 85.20.040; repealing section 4, chapter 182, Laws of 1933 and RCW 85.22.040; repealing section 88, chapter 72, Laws of 1937 and RCW 86.09.262; repealing section 97, chapter 72, Laws of 1937 and RCW 86.09.289; repealing section 99, chapter 72, Laws of 1937 and RCW 86.09.295; repealing section 100, chapter 72, Laws of 1937, section 8, chapter 154, Laws of 1967 and RCW 86.09.298; repealing section 111, chapter 72, Laws of 1937, section 5, chapter 104, Laws of 1982 and RCW 86.09.331; repealing section 112, chapter 72, Laws of 1937 and RCW 86.09.334; repealing section 113, chapter 72, Laws of 1937 and RCW 86.09.337; repealing section 114, chapter 72, Laws of 1937 and RCW 86.09.340; repealing section 115, chapter 72, Laws of 1937 and RCW 86.09.343; repealing section 116, chapter 72, Laws of 1937 and RCW 86.09.346; repealing section 117, chapter 72, Laws of 1937 and RCW 86.09.349; repealing section 118, chapter 72, Laws of 1937 and RCW 86.09.352; repealing section 119, chapter 72, Laws of 1937 and RCW 86.09.355; repealing section 120, chapter 72, Laws of 1937, section 6, chapter 104, Laws of 1982 and RCW 86.09.358; repealing section 121, chapter 72, Laws of 1937, section 7, chapter 104, Laws of 1982 and RCW 86.09.361; repealing section 122, chapter 72, Laws of 1937, section 9, chapter 26, Laws of 1965, section 71, chapter 292, Laws of 1971 ex. sess. and RCW 86.09.364; repealing section 123, chapter 72, Laws of 1937, section 8, chapter 104, Laws of 1982 and RCW 86.09.367; repealing section 124, chapter 72, Laws of 1937, section 9, chapter 104, Laws of 1982 and RCW 86.09.370; repealing section 125, chapter 72, Laws of 1937 and RCW 86.09.373; and repealing section 126, chapter 72, Laws of 1937 and RCW 86.09.376.

Referred to Committee on Local Government.

HB 1135 by Representatives Hine, Wang, Sutherland, Armstrong and Crane

AN ACT Relating to motor vehicle warranties; amending section 3, chapter 240, Laws of 1983 and RCW 19.118.030; and amending section 4, chapter 240, Laws of 1983 and RCW 19.118.040.

Referred to Committee on Judiciary.

HB 1136 by Representative Halsan

AN ACT Relating to abandoned junk motor vehicles; and amending section 2, chapter 111, Laws of 1971 ex. sess. as last amended by section 6, chapter 274, Laws of 1983 and RCW 46.52.150.

Referred to Committee on Transportation.

HB 1137 by Representatives Kreidler, Fiske, Dellwo, Stratton, Wang, McClure, Braddock, Ballard, Niemi, Belcher, Broback, Johnson, R. King, Lewis, Mitchell, Silver, Van Dyken, West, Wilson, Long, Brekke, Barrett, Lux, Miller and Addison

AN ACT Relating to respite care services; creating new sections; making an appropriation; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 1138 by Representatives Ebersole, Rust, Allen, Brekke, Burns, Brough, Charnley, Crane, Fisher, Galloway, Wang, Kaiser, Lux, Nealey, Todd and Miller

AN ACT Relating to the protection of water resources; amending section 35.63.090, chapter 7, Laws of 1965 as amended by section 5, chapter 170, Laws of 1979 ex. sess. and RCW 35.63.090; amending section 35A.63.061, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.061; amending section 36.70.330, chapter 4, Laws of 1963 and RCW 36.70.330; and adding a new section to chapter 90.54 RCW.

Referred to Committee on Environmental Affairs.

HB 1139 by Representatives Kaiser, Prince, Betzoff, Charnley, Galloway, Haugen, Ballard, Braddock, Holland, Todd and Ebersole

AN ACT Relating to water rights; amending section 7, chapter 263, Laws of 1945 and RCW 90.44.070; creating a new section; and adding new sections to chapter 90.44 RCW.

Referred to Committee on Agriculture.

HB 1140 by Representatives Sayan, Fisher, Brekke, Fisch, R. King, McMullen, Lux and D. Nelson

AN ACT Relating to labor relations in institutions of higher education; and adding a new chapter to Title 41 RCW.

Referred to Committee on Labor.

HB 1141 by Representatives McClure, B. Williams, Stratton, Pruitt, Fisch, Haugen, Sanders, Wang, Wilson, Miller and Halsan

AN ACT Relating to wetlands and riparian habitats; amending section 42, chapter 26, Laws of 1967 ex. sess. as last amended by section 6, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.130; and adding a new chapter to Title 84 RCW.

Referred to Committee on Natural Resources.

HB 1142 by Representatives Dellwo, R. King, Belcher, Sayan, Fisher, Fisch, Brekke, McMullen and Lux

AN ACT Relating to occupational diseases; amending section 51.28.050, chapter 23, Laws of 1961 and RCW 51.28.050; amending section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020; adding a new section to chapter 51.28 RCW; and repealing section 51.28.055, chapter 23, Laws of 1961, section 34, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.055.

Referred to Committee on Labor.

HB 1143 by Representatives R. King, Belcher, Dellwo, Fisher, Sayan, Fisch, Brekke and Lux

AN ACT Relating to unemployment insurance; amending section 73, chapter 35, Laws of 1945 as last amended by section 6, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.20.050; and adding a new section to chapter 50.44 RCW.

Referred to Committee on Labor.

HB 1144 by Representatives Dellwo, R. King, Sayan, Fisher, Fisch, Brekke, McMullen and Lux

AN ACT Relating to self-insurance; amending section 59, chapter 289, Laws of 1971 ex. sess. and RCW 51.44.150; amending section 36, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.070; and adding new sections to chapter 51.14 RCW.

Referred to Committee on Labor.

HB 1145 by Representatives Armstrong and Crane

AN ACT Relating to the administrator for the courts; and amending section 1, chapter 259, Laws of 1957 as last amended by section 7, chapter 255, Laws of 1979 ex. sess. and RCW 2.56.010.

Referred to Committee on Ways & Means.

HB 1146 by Representatives Waik, Wilson, Van Luven and Clayton

AN ACT Relating to transportation.

Referred to Committee on Transportation.

HB 1147 by Representatives Haugen, McMullen, McClure, Fisch, Smitherman, Jacobsen, Zellinsky, Schmidt, Fiske, Wilson, Powers, Fisher, Tanner, J. Williams and P. King

AN ACT Relating to service of alcoholic beverages at transient accommodations; and amending section 12, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 13, Laws of 1983 and RCW 66.20.010.

Referred to Committee on Commerce & Economic Development.

HB 1148 by Representatives Lux and Garrett

AN ACT Relating to state parks; amending section 43.51.060, chapter 8, Laws of 1965 as last amended by section 2, chapter 89, Laws of 1980 and RCW 43.51.060; and adding a new section to chapter 43.51 RCW.

Referred to Committee on Environmental Affairs.

HB 1149 by Representatives Monohon, Barrett, Fisch, Lewis, McClure, Vekich, Sayan, Struthers, Brough, R. King, McMullen, Padden, Tanner, Holland, Todd and Powers

AN ACT Relating to gambling activities conducted by charitable and nonprofit organizations; and amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020.

Referred to Committee on Commerce & Economic Development.

HB 1150 by Representative Monohon

AN ACT Relating to peddlers' licenses; amending section 36.71.020, chapter 4, Laws of 1963 and RCW 36.71.020; amending section 36.71.070, chapter 4, Laws of 1963 and RCW 36.71.070; and prescribing penalties.

Referred to Committee on Local Government.

HB 1151 by Representatives Appelwick, Jacobsen, Braddock, Niemi, Armstrong, Broback, Brough, Charnley, Fisher, McClure, Patrick, Van Dyken, Wang, Burns, Hine, Miller, Cantu and Powers

AN ACT Relating to fireworks; and amending section 13, chapter 230, Laws of 1982 and RCW 70.77.570.

Referred to Committee on Commerce & Economic Development.

HB 1152 by Representatives D. Nelson, Sanders, Sayan and Lux

AN ACT Relating to lobbying; and amending section 19, chapter 1, Laws of 1973 as last amended by section 1, chapter 265, Laws of 1979 ex. sess. and RCW 42.17.190.

Referred to Committee on Constitution, Elections & Ethics.

HB 1153 by Representatives Ellis and Lewis

AN ACT Relating to radioactive materials; and amending section 8, chapter 207, Laws of 1961 as amended by section 5, chapter 88, Laws of 1965 and RCW 70.98.080.

Referred to Committee on Environmental Affairs.

HB 1154 by Representatives Belcher, Stratton, Miller, Haugen and Jacobsen (by Department of Game request)

AN ACT Relating to wildlife; amending section 1, chapter 46, Laws of 1965 and RCW 9.41.185; amending section 2, chapter 160, Laws of 1913 as last amended by section 1, chapter 299, Laws of 1981 and RCW 13.04.030; amending section 18, chapter 146, Laws of 1901 and RCW 16.52.180; amending section 18A, chapter 100, Laws of 1949 and RCW 16.68.190; amending section 23, chapter 249, Laws of 1961 as last amended by section 1, chapter 20, Laws of 1974 ex. sess. and RCW 17.21.230; amending section 13, chapter 117, Laws of 1943 as amended by section 10, chapter 82, Laws of 1969 and RCW 19.32.170; amending section 2, chapter 98, Laws of 1982 and RCW 39.04.150; amending section 9, chapter 10, Laws of 1982 as amended by section 27, chapter 161, Laws of 1983 and RCW 42.17.240; amending section 1, chapter 10, Laws of 1979 as amended by section 61, chapter 136, Laws of 1981 and RCW 43.17.010; amending section 2, chapter 10, Laws of 1979 as amended by section 62, chapter 136, Laws of 1981 and RCW 43.17.020; amending section 43.19.450, chapter 8, Laws of 1965 as last amended by section 3, chapter 98, Laws of 1982 and RCW 43.19.450; amending section 17, chapter 62, Laws of 1970 ex. sess. as amended by section 68, chapter 141, Laws of 1979 and RCW 43.21A.170; amending section 8, chapter 209, Laws of 1975 1st ex. sess. as amended by section 6, chapter 11, Laws of 1982 and RCW 43.51.340; amending section 6, chapter 120, Laws of 1967 as last amended by section 109, chapter 3, Laws of 1983 and RCW 43.51.675; amending section 3, chapter 306, Laws of 1977 ex. sess. and RCW 43.51.943; amending section 10, chapter 75, Laws of 1977 ex. sess. and RCW 43.51.955; amending section 43.52.350, chapter 8, Laws of 1965 as amended by section 5, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.350; amending section 43.82-.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 41, Laws of 1982 and RCW 43.82.010; reenacting and amending section 11, chapter 5, Laws of 1965 as last amended by section 1, chapter 206, Laws of 1981 and by section 7, chapter 338, Laws of 1981 and RCW 43.99.110; amending section 7, chapter 47, Laws of 1971 ex. sess. as last amended by section 129, chapter 158, Laws of 1979 and RCW 46.09.020; amending section 22, chapter 47, Laws of 1971 ex. sess. as last amended by section 130, chapter 158, Laws of 1979 and RCW 46.09.170; amending section 2, chapter 182, Laws of 1979 ex. sess. as amended by section 1, chapter 139, Laws of 1983 and RCW 46.10.220; amending section 11, chapter 200, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 24, Laws of 1983 1st ex. sess. and RCW 46.16.605; amending section 2, chapter 101, Laws of 1975-76 2nd ex. sess. and RCW 70.105.020; amending section 75.16.060, chapter 12, Laws of 1955 as amended by section 12, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.08.055; amending section 75.20.050, chapter 12, Laws of 1955 as amended by section 71, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.20.050; amending section 75.20.100, chapter 12, Laws of 1955 as last amended by section 75, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.20.100; amending section 1, chapter 4, Laws of 1961 as amended by section 76, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.20.110; amending section 8, chapter 7, Laws of 1982 as last amended by section 77, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.20.300; amending section 2, chapter 327, Laws of 1977 ex. sess. as last amended by section 173, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.48.120; amending section 4, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.040; amending section 5, chapter 137, Laws of 1974 ex. sess. as amended by section 2, chapter 200, Laws of 1975 1st ex. sess. and RCW 76.09.050; amending section 18, chapter 137, Laws of 1974 ex. sess. and RCW 76.09-.180; amending section 20, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.200; amending section 5, chapter 47, Laws of 1967 ex. sess. as last amended by section 3, chapter 94, Laws of 1979 ex. sess. and RCW 76.48.040; amending section 77.04.010, chapter 36, Laws of 1955 as amended by section 2, chapter 78, Laws of 1980 and RCW 77.04.010; amending section 77.04.020, chapter 36, Laws of 1955 as amended by section 3, chapter 78, Laws of 1980 and RCW 77.04.020; amending section 77.04.030, chapter 36, Laws of 1955 as last amended by section 11, chapter 338, Laws of 1981 and RCW 77.04.030; amending section 77.08.010, chapter 36, Laws of 1955 as amended by section 9, chapter 78, Laws of 1980 and RCW 77.08.010; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 2, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.12.170; amending section 2, chapter 56, Laws of 1979 as amended by section 66, chapter 78, Laws of 1980 and RCW 77.12.185; amending section 77.12.190, chapter 36, Laws of 1955 as amended by section 34, chapter 78, Laws of 1980 and RCW 77.12.190; amending section 2, chapter 97, Laws of 1965 ex. sess. as last amended by section 36, chapter 78, Laws of 1980 and RCW 77.12.201; amending section 3, chapter 97, Laws of 1965 ex. sess. as amended by section 37, chapter 78, Laws of 1980 and RCW 77.12.203; amending section 77.12.210, chapter 36, Laws of 1955 as last amended by section 38, chapter 78, Laws of 1980 and RCW 77.12.210; amending section 77.12.230, chapter 36, Laws of 1955 as amended by section 40, chapter 78, Laws of 1980 and RCW 77.12.230; amending section 77.12.240, chapter 36, Laws of 1955 as amended by section 41, chapter 78, Laws of 1980 and RCW 77.12.240; amending section 15, chapter 10, Laws of 1982 and RCW 77.12.323; amending section 77.12.380, chapter 36, Laws of 1955 as amended by section 56, chapter 78, Laws of 1980 and RCW 77.12.380; amending section 77.12.390, chapter 36, Laws of 1955 as last amended by section 57, chapter 78, Laws of 1980 and RCW 77.12.390; amending section 77.28.020, chapter 36, Laws of 1955 as last amended by section 98, chapter 78, Laws of 1980 and RCW 77.12.570; amending section 77.28.070, chapter 36, Laws of 1955 as amended by section 99, chapter

78. Laws of 1980 and RCW 77.12.580; amending section 77.28.080, chapter 36, Laws of 1955 as amended by section 100, chapter 78, Laws of 1980 and RCW 77.12.590; amending section 77.28.090, chapter 36, Laws of 1955 as amended by section 101, chapter 78, Laws of 1980 and RCW 77.12.600; amending section 77.16.020, chapter 36, Laws of 1955 as last amended by section 196, chapter 3, Laws of 1983 and RCW 77.16.020; amending section 77.16.110, chapter 36, Laws of 1955 as amended by section 80, chapter 78, Laws of 1980 and RCW 77.16.110; amending section 77.12.110, chapter 36, Laws of 1955 as amended by section 25, chapter 78, Laws of 1980 and RCW 77.21.040; amending section 1, chapter 57, Laws of 1975 as amended by section 31, chapter 78, Laws of 1980 and RCW 77.21.050; amending section 3, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.21.070; amending section 30, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 3, chapter 284, Laws of 1983 and RCW 77.32.211; amending section 77.32.220, chapter 36, Laws of 1955 as last amended by section 4, chapter 284, Laws of 1983 and RCW 77.32.220; amending section 15, chapter 310, Laws of 1981 and RCW 77.32.380; amending section 6, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.050; amending section 15, chapter 234, Laws of 1971 ex. sess. and RCW 79.68.910; amending section 3, chapter 119, Laws of 1972 ex. sess. as amended by section 3, chapter 189, Laws of 1981 and RCW 79.70.030; amending section 4, chapter 189, Laws of 1981 and RCW 79.70.070; amending section 5, chapter 189, Laws of 1981 and RCW 79.70.080; amending section 2, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.020; amending section 7, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.070; amending section 10, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.100; amending section 6, chapter 43, Laws of 1974 ex. sess. and RCW 79.76.060; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 7, chapter 98, Laws of 1980 as amended by section 7, chapter 284, Laws of 1983 and RCW 82.27.070; amending section 5, chapter 221, Laws of 1963 as amended by section 383, chapter 141, Laws of 1979 and RCW 87.84.061; amending section 1, chapter 166, Laws of 1979 ex. sess. as amended by section 46, chapter 87, Laws of 1980 and RCW 90.03.247; amending section 30, chapter 117, Laws of 1917 as last amended by section 1, chapter 275, Laws of 1953 and RCW 90.03.280; amending section 31, chapter 117, Laws of 1917 as last amended by section 1, chapter 133, Laws of 1947 and RCW 90.03.290; amending section 3, chapter 284, Laws of 1969 ex. sess. and RCW 90.22.010; amending section 4, chapter 284, Laws of 1969 ex. sess. and RCW 90.22.020; amending section 4, chapter 107, Laws of 1939 as last amended by section 1, chapter 243, Laws of 1963 and RCW 90.24.030; amending section 7, chapter 107, Laws of 1939 and RCW 90.24.060; amending section 13, chapter 139, Laws of 1967 ex. sess. as amended by section 12, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.142; amending section 2, chapter 71, Laws of 1955 as amended by section 15, chapter 13, Laws of 1967 and RCW 90.48.170; and amending section 2, chapter 185, Laws of 1973 1st ex. sess. as amended by section 2, chapter 54, Laws of 1977 and RCW 90.62.020.

Referred to Committee on Natural Resources.

HB 1155 by Representatives Lux, Charnley, Crane, Ebersole, Fisch, Garrett, Johnson, McMullen, Sayan, Van Luven, Kaiser, Schoon and Powers

AN ACT Relating to state parks; and adding a new section to chapter 43.51 RCW.

Referred to Committee on Environmental Affairs.

HB 1156 by Representatives Grimm and Cantu (by Governor Spellman request)

AN ACT Relating to state agencies; amending section 56, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 59, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 38, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 39, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 67, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 86, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 80, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 97, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 103, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 104, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 107, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 109, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 110, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 117, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 118, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 119, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 120, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 121, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 122, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 123, chapter 76, Laws of 1983 1st ex. sess. (uncodified);

creating new sections; repealing section 47, chapter 76, Laws of 1983 1st ex. sess. (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1157 by Representatives Grimm, Cantu and Braddock (by Governor Spellman request)

AN ACT Relating to state agencies; amending section 2, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 221, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 511, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 517, chapter 57, Laws of 1983 1st ex. sess. (uncodified); adding new sections to chapter 57, Laws of 1983 1st ex. sess.; creating a new section; repealing section 126, chapter 57, Laws of 1983 1st ex. sess. (uncodified); and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1158 by Representatives Stratton and B. Williams (by Department of Game request)

AN ACT Relating to hunting; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Natural Resources.

HB 1159 by Representatives Niemi, Hankins, Sommers, Johnson, Galloway, Sayan, Walk and Miller (by Office of Financial Management request)

AN ACT Relating to state government; amending section 3, chapter 157, Laws of 1951 as amended by section 1, chapter 21, Laws of 1969 and RCW 1.08.005; amending section 1, chapter 185, Laws of 1943 as amended by section 1, chapter 42, Laws of 1971 and RCW 2.32.160; amending section 5, chapter 268, Laws of 1981 and RCW 2.64.040; amending section 5, chapter 218, Laws of 1973 1st ex. sess. as amended by section 7, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.050; amending section 6, chapter 137, Laws of 1981 and RCW 9.94A.060; amending section 3, chapter 299, Laws of 1981 and RCW 13.40-.025; amending section 15.24.050, chapter 11, Laws of 1961 as last amended by section 12, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.24.050; amending section 10, chapter 129, Laws of 1969 as amended by section 13, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.26.100; amending section 15.28.090, chapter 11, Laws of 1961 as last amended by section 14, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.28.090; amending section 15.44.038, chapter 11, Laws of 1961 as last amended by section 15, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.44.038; amending section 27, chapter 256, Laws of 1961 as amended by section 19, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.65.270; amending section 15.66.130, chapter 11, Laws of 1961 as last amended by section 20, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.66.130; amending section 8, chapter 61, Laws of 1961 as last amended by section 21, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.76.170; amending section 6, chapter 133, Laws of 1969 as amended by section 22, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 16.67.070; amending section 7, chapter 226, Laws of 1949 as last amended by section 22, chapter 234, Laws of 1983 and RCW 18.04.080; amending section 3, chapter 323, Laws of 1959 as amended by section 27, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.08.120; amending section 11, chapter 101, Laws of 1957 as last amended by section 28, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.055; amending section 5, chapter 101, Laws of 1957 as last amended by section 29, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15-.140; amending section 2, chapter 168, Laws of 1953 as last amended by section 12, chapter 225, Laws of 1982 and RCW 18.18.104; amending section 14, chapter 3, Laws of 1965 ex. sess. as last amended by section 9, chapter 75, Laws of 1977 and RCW 18.18.251; amending section 9, chapter 21, Laws of 1982 and RCW 18.22.014; amending section 2, chapter 53, Laws of 1959 as last amended by section 32, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.25.017; amending section 2, chapter 46, Laws of 1980 and RCW 18.26.070; amending section 14, chapter 168, Laws of 1983 and RCW 18.29.031; amending section 3, chapter 93, Laws of 1953 as last amended by section 3, chapter 38, Laws of 1979 and RCW 18.32.050; amending section 10, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.600; amending section 5, chapter 43, Laws of 1957 and RCW 18.34.050; amending section 15, chapter 106, Laws of 1973 1st ex. sess. as last amended by section 12, chapter 39, Laws of 1983 and RCW 18.35.150; amending section 9, chapter 93, Laws of 1977 ex. sess. as amended by section 11, chapter 43, Laws of 1981 and RCW 18.39.175; amending section 3, chapter 283, Laws of 1947 as amended by section 37, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.43.030; amending section 11, chapter 117, Laws of 1951 as last amended by section 65, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.100; amending section 6, chapter 57, Laws of 1970 ex. sess. as last amended by section 45, chapter 158, Laws of 1979 and RCW 18.52.060; amending section 13, chapter 25, Laws of 1963 as last amended by section 39, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.54.130; amending

section 2, chapter 117, Laws of 1979 and RCW 18.57.003; amending section 2, chapter 98, Laws of 1935 as last amended by section 1, chapter 90, Laws of 1979 and RCW 18.64.003; amending section 2, chapter 284, Laws of 1961 as last amended by section 52, chapter 158, Laws of 1979 and RCW 18.71.015; amending section 10, chapter 202, Laws of 1955 as last amended by section 3, chapter 111, Laws of 1979 ex. sess. and RCW 18.72.100; amending section 2, chapter 239, Laws of 1949 as last amended by section 3, chapter 116, Laws of 1983 and RCW 18.74.020; amending section 4, chapter 222, Laws of 1949 as last amended by section 5, chapter 55, Laws of 1983 and RCW 18.78.040; amending section 21, chapter 70, Laws of 1965 as last amended by section 10, chapter 168, Laws of 1983 and RCW 18.83.051; amending section 14, chapter 252, Laws of 1941 as last amended by section 49, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.85.080; amending section 8, chapter 202, Laws of 1949 as last amended by section 12, chapter 75, Laws of 1977 and RCW 18.88.080; amending section 13, chapter 124, Laws of 1907 as last amended by section 4, chapter 102, Laws of 1983 and RCW 18.92.040; amending section 5, chapter 158, Laws of 1969 ex. sess. as amended by section 54, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.96.050; amending section 2, chapter 280, Laws of 1975 1st ex. sess. as amended by section 57, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.108.020; amending section 22, chapter 253, Laws of 1971 ex. sess. as amended by section 58, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.16.310; amending section 7, chapter 96, Laws of 1974 ex. sess. as amended by section 59, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.070; amending section 5, chapter 207, Laws of 1963 as last amended by section 60, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.065; amending section 2, chapter 188, Laws of 1974 ex. sess. as last amended by section 1, chapter 79, Laws of 1977 ex. sess. and RCW 19.28.123; amending section 1, chapter 5, Laws of 1941 as last amended by section 66, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 27.04.020; amending section 11, chapter 119, Laws of 1935 as amended by section 12, chapter 106, Laws of 1973 and RCW 27.08.010; amending section 28A.04.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 67, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.04.110; amending section 28A.92.050, chapter 223, Laws of 1969 ex. sess. as amended by section 71, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.92.050; amending section 3, chapter 169, Laws of 1983 and RCW 28B.07.030; amending section 6, chapter 36, Laws of 1969 ex. sess. as last amended by section 19, chapter 338, Laws of 1981 and RCW 28B.16.060; amending section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 30, Laws of 1982 1st ex. sess. and RCW 28B.50.050; amending section 12, chapter 277, Laws of 1969 ex. sess. as amended by section 77, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.80.110; amending section 8, chapter 174, Laws of 1975 1st ex. sess. as amended by section 79, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.070; amending section 52, chapter 283, Laws of 1969 ex. sess. as amended by section 76, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.300; amending section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 91, chapter 3, Laws of 1983 and RCW 41.05.025; amending section 8, chapter 10, Laws of 1982 and RCW 41.06.110; amending section 4, chapter 263, Laws of 1955 as last amended by section 87, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.24.270; amending section 2, chapter 5, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 146, Laws of 1979 ex. sess. and RCW 41.58.015; amending section 1, chapter 167, Laws of 1982 as amended by section 2, chapter 54, Laws of 1983 and RCW 41.60.015; amending section 4, chapter 311, Laws of 1981 and RCW 41.64.030; amending section 35, chapter 1, Laws of 1973 as last amended by section 15, chapter 147, Laws of 1982 and RCW 42.17.350; amending section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030; amending section 18, chapter 62, Laws of 1970 ex. sess. as amended by section 100, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.21A.180; amending section 6, chapter 44, Laws of 1970 ex. sess. as last amended by section 104, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.22-.475; amending section 43.24.060, chapter 8, Laws of 1965 as last amended by section 15, chapter 227, Laws of 1982 and RCW 43.24.060; amending section 43.24.110, chapter 8, Laws of 1965 as last amended by section 101, chapter 158, Laws of 1979 and RCW 43.24-.110; amending section 5, chapter 3, Laws of 1981 and RCW 43.33A.050; amending section 43.49.010, chapter 8, Laws of 1965 and RCW 43.49.010; amending section 43.51.020, chapter 8, Laws of 1965 as last amended by section 116, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.020; amending section 43.57.020, chapter 8, Laws of 1965 as last amended by section 119, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.57.020; reenacting and amending section 11, chapter 5, Laws of 1965 as last amended by section 1, chapter 206, Laws of 1981 and by section 7, chapter 338, Laws of 1981 and RCW 43.99.110; amending section 7, chapter 94, Laws of 1974 ex. sess. as amended by section 126, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.101.070; amending section 5, chapter 219, Laws of 1973 1st ex. sess. as amended by section 128, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.105.032; amending section 3, chapter 4, Laws of 1982 and RCW 43.121.030; amending section 7, chapter 273, Laws of 1983 and RCW 43.126.075; amending section 3, chapter 40, Laws of 1982 1st ex. sess. as amended by section 2, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.030; amending section 4, chapter 161, Laws of 1983 and RCW

43.180.040; amending section 4, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.040; amending section 5, chapter 150, Laws of 1967 ex. sess. as last amended by section 159, chapter 151, Laws of 1979 and RCW 44.60.050; amending section 3, chapter 51, Laws of 1979 ex. sess. and RCW 46.82.300; amending section 6, chapter 151, Laws of 1977 ex. sess. as last amended by section 29, chapter 53, Laws of 1983 1st ex. sess. and RCW 47.01.061; amending section 19, chapter 15, Laws of 1983 and RCW 47.64.280; amending section 14, chapter 150, Laws of 1967 as amended by section 142, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 48.17.135; amending section 1, chapter 231, Laws of 1941 as last amended by section 2, chapter 39, Laws of 1982 1st ex. sess. and RCW 49.04.010; amending section 4, chapter 270, Laws of 1955 as amended by section 145, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.60.070; amending section 1, chapter 9, Laws of 1977 and RCW 67.08.003; amending section 2, chapter 233, Laws of 1969 ex. sess. as amended by section 155, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 67.16.017; amending section 27, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.270; amending section 33, chapter 290, Laws of 1953 as amended by section 156, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 68.05.060; amending section 3, chapter 147, Laws of 1974 ex. sess. as last amended by section 1, chapter 210, Laws of 1983 and RCW 70.37.030; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 2, chapter 32, Laws of 1951 as amended by section 159, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.79.020; amending section 7, chapter 139, Laws of 1973 as amended by section 161, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.95B.070; amending section 21, chapter 136, Laws of 1981 and RCW 72.09.150; amending section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 173, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 76.09.030; amending section 22, chapter 137, Laws of 1974 ex. sess. as last amended by section 5, chapter 47, Laws of 1979 ex. sess. and RCW 76.09.220; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 6, chapter 78, Laws of 1980 and RCW 77.04.060; amending section 2, chapter 18, Laws of 1935 as last amended by section 3, chapter 337, Laws of 1977 ex. sess. and RCW 88.16.020; amending section 4, chapter 304, Laws of 1955 as last amended by section 179, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 89.08.040; adding new sections to chapter 43.03 RCW; creating new sections; and providing an effective date.

Referred to Committee on State Government.

HB 1160 by Representatives Charnley, Allen, Egger, Isaacson, Ballard, Garrett, Van Luven, Van Dyken, Brough, Smitherman, Todd and Hine

AN ACT Relating to local government; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 1161 by Representatives Charnley, Ballard, Rust, Armstrong, Moon, Fisher, Allen, Jacobsen, Smitherman, Brække, Todd, Hine, Wang, Brough, Patrick, Van Dyken, Johnson, Burns and Miller

AN ACT Relating to local government; and adding a new section to chapter 228, Laws of 1961 and to chapter 70.77 RCW.

Referred to Committee on Local Government.

HB 1162 by Representatives Stratton, Mitchell, Halsan and Van Dyken

AN ACT Relating to technical corrections in the fisheries code; reenacting and amending section 3, chapter 184, Laws of 1974 ex. sess. as last amended by section 1, chapter 297, Laws of 1983 and by section 116, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.116; reenacting section 1, chapter 253, Laws of 1969 ex. sess. as last amended by section 193, chapter 3, Laws of 1983 and by section 85, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.24.100; amending section 8, chapter 7, Laws of 1982 as last amended by section 77, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.20.300; amending section 7, chapter 141, Laws of 1979 ex. sess. as amended by section 45, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.10.140; amending section 1, chapter 245, Laws of 1983 and RCW 75.12.132; amending section 1, chapter 31, Laws of 1983 1st ex. sess. and RCW 75.25.015; amending section 12, chapter 327, Laws of 1977 ex. sess. as amended by section 97, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.130; amending section 15, chapter 327, Laws of 1977 ex. sess. as last amended by section 98, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.140; amending section 99, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.150; and amending section 16, chapter 327, Laws of 1977 ex. sess. as amended by section 100, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.160.

Referred to Committee on Natural Resources.

HB 1163 by Representatives Lux, Pruitt, D. Nelson, Burns and Todd

AN ACT Relating to credit transactions; amending section 2, chapter 80, Laws of 1899 as last amended by section 1, chapter 78, Laws of 1981 and RCW 19.52.020; and amending section 13, chapter 236, Laws of 1963 as last amended by section 5, chapter 77, Laws of 1981 and RCW 63.14.130.

Referred to Committee on Financial Institutions & Insurance.

HB 1164 by Representatives Heck, Sutherland, Allen, Rust, Dellwo, J. King, Tanner and D. Nelson

AN ACT Relating to solid waste management; amending section 6, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.060; amending section 9, chapter 134, Laws of 1969 ex. sess. as amended by section 1, chapter 293, Laws of 1971 ex. sess. and RCW 70.95.090; amending section 10, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.100; amending section 11, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.110; amending section 17, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.170; amending section 19, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.190; adding a new section to chapter 70.95 RCW; and repealing section 12, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.120.

Referred to Committee on Environmental Affairs.

HB 1165 by Representatives Haugen, Wilson, R. King, Moon, Stratton, Allen and Kaiser

AN ACT Relating to food fish; and adding a new section to chapter 75.12 RCW.

Referred to Committee on Natural Resources.

HB 1166 by Representatives Locke, Padden, Armstrong and Crane

AN ACT Relating to prison terms, paroles, and probation; amending section 1, chapter 19, Laws of 1980 as last amended by section 4, chapter 156, Laws of 1983 and RCW 9.95.210; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1167 by Representative Sayan

AN ACT Relating to vacating county right of way; and amending section 7, chapter 185, Laws of 1969 ex. sess. and RCW 36.87.130.

Referred to Committee on Local Government.

HB 1168 by Representatives Vekich and Sayan

AN ACT Relating to state highway routes; amending section 40, chapter 51, Laws of 1970 ex. sess. as amended by section 3, chapter 151, Laws of 1973 1st ex. sess. and RCW 47.17.195; and adding new sections to chapter 47.17 RCW.

Referred to Committee on Transportation.

HB 1169 by Representatives Appelwick, Halsan, Niemi, Armstrong, Brough, Burns and Powers

AN ACT Relating to lotteries and promotional contests; and amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020.

Referred to Committee on Commerce & Economic Development.

HB 1170 by Representatives Sayan and Belcher

AN ACT Relating to higher education personnel law; amending section 2, chapter 36, Laws of 1969 ex. sess. as last amended by section 1, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.020; and adding new sections to chapter 28B.16 RCW.

Referred to Committee on Higher Education.

HB 1171 by Representatives Sayan, Powers, Zellinsky, Smitherman, Vekich and Schmidt

AN ACT Relating to public utilities; amending section 4, chapter 159, Laws of 1980 and RCW 43.99F.040; amending section 5, chapter 159, Laws of 1980 and RCW 43.99F.050; and adding a new section to chapter 43.99F RCW.

Referred to Committee on Environmental Affairs.

HB 1172 by Representatives Rust, Miller, Fisher, Brough, Jacobsen, Allen, McMullen, Kreidler, Lux, Charnley, Patrick and Brekke

AN ACT Relating to the Milwaukee Road; amending section 719, chapter 57, Laws of 1983 1st ex. sess. (uncodified); creating new sections; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 1173 by Representatives Halsan and Braddock

AN ACT Relating to retirement; adding a new chapter to Title 41 RCW; making an appropriation; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 1174 by Representatives Rust, Allen, Kreidler, Van Dyken, Lux, Fisher, Todd, Charnley and Jacobsen

AN ACT Relating to acid rain; and adding new sections to chapter 70.94 RCW.

Referred to Committee on Environmental Affairs.

HB 1175 by Representatives Lux, Vekich, McMullen and Sayan

AN ACT Relating to industrial insurance; and adding a new section to chapter 51.41 RCW.

Referred to Committee on Labor.

HB 1176 by Representatives J. King, Heck, Sutherland, Galloway, B. Williams, Tanner, Betzoff, West, Ellis, Burns, Niemi, Schoon, L. Smith and Powers

AN ACT Relating to enforcement of existing state fireworks laws; amending section 2, chapter 230, Laws of 1982 and RCW 70.77.131; amending section 3, chapter 230, Laws of 1982 and RCW 70.77.136; amending section 27, chapter 228, Laws of 1961 as amended by section 12, chapter 230, Laws of 1982 and RCW 70.77.250; amending section 38, chapter 228, Laws of 1961 as amended by section 18, chapter 230, Laws of 1982 and RCW 70.77.305; amending section 42, chapter 228, Laws of 1961 as amended by section 21, chapter 230, Laws of 1982 and RCW 70.77.325; amending section 49, chapter 228, Laws of 1961 as amended by section 27, chapter 230, Laws of 1982 and RCW 70.77.360; amending section 65, chapter 228, Laws of 1961 and RCW 70.77.440; adding a new section to chapter 70.77 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1177 by Representatives Kreidler, Dellwo, Lewis, Braddock, Fiske, McClure, Niemi and B. Williams

AN ACT Relating to health care providers; amending section 5, chapter 122, Laws of 1969 as amended by section 1, chapter 100, Laws of 1983 and RCW 18.100.050; amending section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140; and adding a new chapter to Title 48 RCW.

Referred to Committee on Social & Health Services.

HB 1178 by Representatives Kreidler, Lewis, Wang and B. Williams

AN ACT Relating to the regulation of health and health-related professions and businesses; amending section 1, chapter 53, Laws of 1959 as last amended by section 1, chapter 51, Laws of 1980 and RCW 18.25.015; amending section 2, chapter 112, Laws of 1935 as last amended by section 1, chapter 38, Laws of 1979 and RCW 18.32.035; amending section 6, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.560; amending section 12, chapter 43, Laws of 1957 as amended by section 35, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.34.120; amending section 9, chapter 93, Laws of 1977 ex. sess. as amended by section 11, chapter 43, Laws of 1981 and RCW 18.39.175; amending section 3, chapter 25, Laws of 1963 and RCW 18.54.030; amending section 4, chapter 208, Laws of 1973 1st ex. sess. as last amended by section 13, chapter 338, Laws of 1981 and RCW 18.73.040; amending section 3, chapter 305, Laws of 1955 as last amended by section 27, chapter 292, Laws of 1971 ex. sess. and RCW 18.83.030; amending section 2, chapter 280, Laws of 1975 1st ex. sess. as amended by section 57, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.108.020; amending section 2, chapter 168, Laws of 1983 and RCW 18.120.020; amending section 11, chapter 168, Laws of 1983 and RCW 43.24.015; amending section 43.24.110, chapter 8, Laws of 1965 as last amended by section 101, chapter 158, Laws of 1979 and RCW 43.24.110; adding a new chapter to Title 18 RCW; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.26 RCW; adding a new section to chapter 18.32 RCW; adding a new section to chapter 18.35 RCW; adding a new section to chapter 18.39 RCW; adding a new section to chapter 18.52 RCW; adding a new section to chapter 18.54 RCW; adding a new section to chapter 18.57 RCW; adding a new section to

chapter 18.72 RCW; adding a new section to chapter 18.74 RCW; adding a new section to chapter 18.78 RCW; adding a new section to chapter 18.88 RCW; adding a new section to chapter 18.92 RCW; adding new sections to chapter 18.120 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 1179 by Representatives Kreidler, Dellwo, Lewis, Stratton, Ballard, Fiske, B. Williams and West

AN ACT Relating to mandated benefits; and adding new sections to chapter 48.01 RCW.

Referred to Committee on Social & Health Services.

HB 1180 by Representatives Kreidler, Lewis and Wang (by Department of Licensing request)

AN ACT Relating to licensing, certification, and registration periods; and amending section 1, chapter 52, Laws of 1971 as amended by section 104, chapter 158, Laws of 1979 and RCW 43.24.140.

Referred to Committee on Social & Health Services.

HB 1181 by Representatives Tanner and Addison

AN ACT Relating to education in osteopathic medicine; and amending section 4, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.160.

Referred to Committee on Higher Education.

HB 1182 by Representatives Braddock, Grimm, Galloway, Hine and Holland

AN ACT Relating to general obligation bonds for common school plant facilities; adding new sections to chapter 28A.47 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1183 by Representatives Sommers, Monohon, Dellwo and Fiske

AN ACT Relating to the collection of fees, fines, forfeitures, and penalties for violations of statutes and ordinances; amending section 22, chapter 299, Laws of 1961 as last amended by section 2, chapter 195, Laws of 1983 and RCW 3.34.130; amending section 46, chapter 299, Laws of 1961 as amended by section 4, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.46.120; amending section 59, chapter 299, Laws of 1961 as amended by section 3, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.50.100; amending section 105, chapter 299, Laws of 1961 and RCW 3.62.010; amending section 106, chapter 299, Laws of 1961 as last amended by section 8, chapter 73, Laws of 1971 and RCW 3.62.020; amending section 108, chapter 299, Laws of 1961 as amended by section 2, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.62.040; amending section 109, chapter 299, Laws of 1961 as last amended by section 1, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.050; amending section 110, chapter 299, Laws of 1961 as last amended by section 1, chapter 330, Laws of 1981 and RCW 3.62.060; amending section 10, chapter 302, Laws of 1977 ex. sess. as last amended by section 1, chapter 239, Laws of 1983 and RCW 7.68.035; amending section 16, chapter 172, Laws of 1935 as last amended by section 11, chapter 232, Laws of 1983 and RCW 9.41.160; amending section 3, page 421, Laws of 1873 as last amended by section 11, chapter 199, Laws of 1969 ex. sess. and RCW 10.82.070; amending section 28A.87.010, chapter 223, Laws of 1969 ex. sess. as amended by section 55, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.010; amending section 35.20.220, chapter 7, Laws of 1965 as amended by section 5, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.220; amending section 35.22.510, chapter 7, Laws of 1965 as amended by section 26, chapter 136, Laws of 1979 ex. sess. and RCW 35.22.510; amending section 35.23.630, chapter 7, Laws of 1965 and RCW 35.23.630; amending section 35.24.130, chapter 7, Laws of 1965 and RCW 35.24.130; amending section 35.27.170, chapter 7, Laws of 1965 and RCW 35.27.170; amending section 35A.20.080, chapter 119, Laws of 1967 ex. sess. as amended by section 34, chapter 136, Laws of 1979 ex. sess. and RCW 35A.20.080; amending section 35A.42.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.42.010; amending section 35A.47.030, chapter 119, Laws of 1967 ex. sess. as amended by section 69, chapter 3, Laws of 1983 and RCW 35A.47.030; amending section 2, chapter 20, Laws of 1972 ex. sess. and RCW 36.18.025; amending section 1, chapter 158, Laws of 1963 and RCW 46.08.172; amending section 24, chapter 121, Laws of 1965 ex. sess. as last amended by section 16, chapter 165, Laws of 1983 and RCW 46.20.285; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 18, chapter 165, Laws of 1983 and RCW 46.20.311; amending section 11, chapter 165, Laws of 1983 and RCW 46.20.680; amending section 23, chapter 64, Laws of 1975-'76 2nd ex. sess. as amended by section 75, chapter 136, Laws of 1979 ex. sess. and RCW 46.44.105; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended

by section 21, chapter 165, Laws of 1983 and RCW 46.61.515; amending section 6, chapter 209, Laws of 1975 1st ex. sess. as amended by section 1, chapter 57, Laws of 1977 and RCW 46.61.587; reenacting and amending section 13, chapter 10, Laws of 1982 as amended by section 1, chapter 12, Laws of 1982 1st ex. sess. and by section 4, chapter 14, Laws of 1982 1st ex. sess. and RCW 46.63.110; amending section 8, chapter 39, Laws of 1963 as last amended by section 4, chapter 76, Laws of 1977 and RCW 46.81.070; amending section 15, chapter 2, Laws of 1983 and RCW 69.50.505; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 23, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.08.230; reenacting and amending section 77.12.170, chapter 36, Laws of 1955 as amended by section 1, chapter 284, Laws of 1983 and by section 2, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.12.170; amending section 3, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.21.070; adding a new section to chapter 43.08 RCW; adding a new chapter to Title 7 RCW; creating new sections; repealing section 7, chapter 132, Laws of 1981, section 1, chapter 9, Laws of 1983 1st ex. sess. and RCW 2.56.100; repealing section 1, chapter 199, Laws of 1969 ex. sess., section 2, chapter 130, Laws of 1974 ex. sess., section 129, chapter 78, Laws of 1980 and RCW 3.62.015; repealing section 4, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.055; repealing section 2, chapter 330, Laws of 1981 and RCW 3.62.080; repealing section 4, chapter 330, Laws of 1981 and RCW 13.40.260; repealing section 2, chapter 107, Laws of 1977 ex. sess. and RCW 36.18.026; repealing section 2, chapter 70, Laws of 1980, section 6, chapter 330, Laws of 1981 and RCW 36.18.027; repealing section 3, chapter 212, Laws of 1977 ex. sess., section 1, chapter 164, Laws of 1979 ex. sess., section 8, chapter 4, Laws of 1981, section 1, chapter 127, Laws of 1981 and RCW 43.101.210; repealing section 3, chapter 130, Laws of 1974 ex. sess. and RCW 46.61.518; repealing section 46.68.050, chapter 12, Laws of 1961, section 10, chapter 99, Laws of 1969, section 23, chapter 199, Laws of 1969 ex. sess. and RCW 46.68.050; repealing section 2, chapter 9, Laws of 1970 ex. sess., section 1, chapter 26, Laws of 1971 ex. sess., section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030; repealing section 5, chapter 39, Laws of 1963 and RCW 46.81.040; repealing section 3, chapter 9, Laws of 1970 ex. sess. and RCW 46.81.050; repealing section 7, chapter 39, Laws of 1963, section 5, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.060; repealing section 47.08.030, chapter 13, Laws of 1961, section 26, chapter 199, Laws of 1969 ex. sess. and RCW 47.08.030; repealing section 1, chapter 57, Laws of 1975, section 31, chapter 78, Laws of 1980 and RCW 77.21.050; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1184 by Representatives Wang, Armstrong, Padden, McMullen and Patrick

AN ACT Relating to sexual offenses; and amending section 2, chapter 129, Laws of 1982 and RCW 9A.44.120.

Referred to Committee on Judiciary.

HB 1185 by Representatives Lux, Sanders, J. Williams and West

AN ACT Relating to banks and bank holding companies; amending section 30.04-.230, chapter 33, Laws of 1955 as last amended by section 9, chapter 157, Laws of 1983 and RCW 30.04.230; adding a new section to chapter 30.04 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1186 by Representatives Ellis, Fisher, Sayan and Clayton

AN ACT Relating to state highway routes; and adding a new section to chapter 47.17 RCW.

Referred to Committee on Transportation.

HB 1187 by Representatives Tanner, Ebersole, Vekich, Kaiser and Powers

AN ACT Relating to licensing; adding a new chapter to Title 18 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Economic Development.

HB 1188 by Representatives Lux, Sanders, Kreidler, Belcher, Garrett and Patrick

AN ACT Relating to credit unions; adding new sections to chapter 31.12 RCW; repealing section 2, chapter 23, Laws of 1957 and RCW 31.12.010; repealing section 3, chapter 23, Laws of 1957, section 2, chapter 180, Laws of 1967, section 1, chapter 8, Laws of 1973 1st ex. sess., section 1, chapter 81, Laws of 1981 and RCW 31.12.020; repealing section 4, chapter 23, Laws of 1957, section 2, chapter 81, Laws of 1981 and RCW 31.12.030; repealing section 2, chapter 173, Laws of 1933, section 2, chapter 131, Laws of 1943 and RCW 31.12.040; repealing section 3, chapter 173, Laws of 1933, section 3, chapter 131, Laws of 1943, section 3, chapter 180, Laws of 1967, section 1, chapter 65, Laws of 1969, section 82,

chapter 81, Laws of 1971, section 23, chapter 302, Laws of 1981 and RCW 31.12.050; repealing section 4, chapter 173, Laws of 1933, section 4, chapter 131, Laws of 1943, section 1, chapter 41, Laws of 1980, section 3, chapter 81, Laws of 1981 and RCW 31.12.080; repealing section 5, chapter 173, Laws of 1933, section 5, chapter 131, Laws of 1943, section 1, chapter 138, Laws of 1959, section 2, chapter 41, Laws of 1980 and RCW 31.12.090; repealing section 6, chapter 173, Laws of 1933 and RCW 31.12.100; repealing section 7, chapter 173, Laws of 1933, section 6, chapter 131, Laws of 1943, section 2, chapter 65, Laws of 1969 and RCW 31.12.110; repealing section 8, chapter 173, Laws of 1933, section 7, chapter 131, Laws of 1943 and RCW 31.12.120; repealing section 9, chapter 173, Laws of 1933, section 8, chapter 131, Laws of 1943, section 1, chapter 213, Laws of 1947, section 1, chapter 48, Laws of 1953, section 3, chapter 41, Laws of 1980, section 4, chapter 81, Laws of 1981 and RCW 31.12.130; repealing section 24, chapter 192, Laws of 1981 and RCW 31.12.135; repealing section 10, chapter 173, Laws of 1933, section 9, chapter 131, Laws of 1943, section 26, chapter 192, Laws of 1981 and RCW 31.12.140; repealing section 1, chapter 173, Laws of 1933 and RCW 31.12.150; repealing section 12, chapter 173, Laws of 1933, section 10, chapter 131, Laws of 1943, section 2, chapter 48, Laws of 1953, section 4, chapter 180, Laws of 1967, section 2, chapter 8, Laws of 1973 1st ex. sess., section 1, chapter 37, Laws of 1983 and RCW 31.12.160; repealing section 13, chapter 173, Laws of 1933, section 11, chapter 131, Laws of 1943, section 5, chapter 180, Laws of 1967 and RCW 31.12.170; repealing section 14, chapter 173, Laws of 1933, section 2, chapter 65, Laws of 1939, section 3, chapter 48, Laws of 1953, section 2, chapter 138, Laws of 1959, section 6, chapter 180, Laws of 1967, section 3, chapter 8, Laws of 1973 1st ex. sess., section 2, chapter 37, Laws of 1983 and RCW 31.12.180; repealing section 15, chapter 173, Laws of 1933, section 12, chapter 131, Laws of 1943, section 4, chapter 48, Laws of 1953, section 5, chapter 23, Laws of 1957, section 3, chapter 138, Laws of 1959, section 7, chapter 180, Laws of 1967, section 3, chapter 65, Laws of 1969, section 5, chapter 8, Laws of 1973 1st ex. sess., section 1, chapter 222, Laws of 1975 1st ex. sess., section 4, chapter 41, Laws of 1980, section 5, chapter 81, Laws of 1981 and RCW 31.12.190; repealing section 16, chapter 173, Laws of 1933, section 13, chapter 131, Laws of 1943, section 5, chapter 48, Laws of 1953, section 4, chapter 138, Laws of 1959, section 4, chapter 65, Laws of 1969, section 2, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12.200; repealing section 4, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.205; repealing section 17, chapter 173, Laws of 1933, section 14, chapter 131, Laws of 1943, section 6, chapter 23, Laws of 1957, section 6, chapter 8, Laws of 1973 1st ex. sess., section 3, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12.210; repealing section 18, chapter 173, Laws of 1933, section 15, chapter 131, Laws of 1943, section 8, chapter 180, Laws of 1967, section 5, chapter 65, Laws of 1969, section 7, chapter 8, Laws of 1973 1st ex. sess., section 5, chapter 41, Laws of 1980, section 6, chapter 81, Laws of 1981 and RCW 31.12.220; repealing section 19, chapter 173, Laws of 1933, section 16, chapter 131, Laws of 1943, section 9, chapter 180, Laws of 1967 and RCW 31.12.230; repealing section 21, chapter 173, Laws of 1933, section 17, chapter 131, Laws of 1943, section 7, chapter 23, Laws of 1957, section 6, chapter 65, Laws of 1969, section 8, chapter 8, Laws of 1973 1st ex. sess., section 4, chapter 222, Laws of 1975 1st ex. sess., section 3, chapter 37, Laws of 1983 and RCW 31.12.240; repealing section 8, chapter 23, Laws of 1957, section 5, chapter 138, Laws of 1959, section 10, chapter 180, Laws of 1967, section 7, chapter 65, Laws of 1969, section 9, chapter 8, Laws of 1973 1st ex. sess., section 7, chapter 81, Laws of 1981 and RCW 31.12.245; repealing section 22, chapter 173, Laws of 1933, section 3, chapter 213, Laws of 1947 and RCW 31.12.250; repealing section 20, chapter 173, Laws of 1933, section 2, chapter 213, Laws of 1947, section 9, chapter 23, Laws of 1957, section 6, chapter 138, Laws of 1959, section 8, chapter 65, Laws of 1969, section 10, chapter 8, Laws of 1973 1st ex. sess., section 5, chapter 222, Laws of 1975 1st ex. sess., section 8, chapter 81, Laws of 1981 and RCW 31.12.260; repealing section 11, chapter 23, Laws of 1957, section 1, chapter 38, Laws of 1965 ex. sess., section 11, chapter 180, Laws of 1967, section 9, chapter 65, Laws of 1969, section 11, chapter 8, Laws of 1973 1st ex. sess., section 6, chapter 222, Laws of 1975 1st ex. sess., section 6, chapter 41, Laws of 1980 and RCW 31.12.270; repealing section 12, chapter 23, Laws of 1957, section 7, chapter 138, Laws of 1959, section 2, chapter 38, Laws of 1965 ex. sess., section 12, chapter 180, Laws of 1967, section 10, chapter 65, Laws of 1969, section 12, chapter 8, Laws of 1973 1st ex. sess., section 7, chapter 222, Laws of 1975 1st ex. sess., section 7, chapter 41, Laws of 1980, section 9, chapter 81, Laws of 1981 and RCW 31.12.280; repealing section 13, chapter 23, Laws of 1957, section 8, chapter 138, Laws of 1959, section 13, chapter 180, Laws of 1967, section 13, chapter 8, Laws of 1973 1st ex. sess., section 10, chapter 81, Laws of 1981 and RCW 31.12.290; repealing section 24, chapter 173, Laws of 1933 and RCW 31.12.300; repealing section 9, chapter 41, Laws of 1980 and RCW 31.12.305; repealing section 25, chapter 173, Laws of 1933, section 19, chapter 131, Laws of 1943, section 8, chapter 222, Laws of 1975 1st ex. sess., section 11, chapter 81, Laws of 1981 and RCW 31.12.310; repealing section 26, chapter 173, Laws of 1933, section 20, chapter 131, Laws of 1943, section 5, chapter 213, Laws of 1947, section 14, chapter 8, Laws of 1973 1st ex. sess., section 8, chapter 41, Laws of 1980 and RCW 31.12.320; repealing section 4, chapter 245, Laws of 1977 ex. sess., section 4, chapter 37, Laws of 1983 and RCW 31.12.325; repealing section 27, chapter 173, Laws of 1933, section 9, chapter 48, Laws of 1953, section 14, chapter 180, Laws of 1967, section 12,

chapter 81, Laws of 1981, section 5, chapter 37, Laws of 1983 and RCW 31.12.330; repealing section 28, chapter 173, Laws of 1933, section 21, chapter 131, Laws of 1943 and RCW 31.12.340; repealing section 29, chapter 173, Laws of 1933 and RCW 31.12.350; repealing section 31, chapter 173, Laws of 1933, section 23, chapter 131, Laws of 1943, section 10, chapter 48, Laws of 1953, section 15, chapter 180, Laws of 1967, section 83, chapter 81, Laws of 1971 and RCW 31.12.360; repealing section 32, chapter 173, Laws of 1933, section 24, chapter 131, Laws of 1943 and RCW 31.12.370; repealing section 1, chapter 90, Laws of 1981 and RCW 31.12.373; repealing section 3, chapter 90, Laws of 1981 and RCW 31.12.377; repealing section 34 added to chapter 173, Laws of 1933 by section 26, chapter 131, Laws of 1943 and RCW 31.12.380; repealing section 35 added to chapter 173, Laws of 1933 by section 26, chapter 131, Laws of 1943 and RCW 31.12.390; repealing section 36 added to chapter 173, Laws of 1933 by section 26, chapter 131, Laws of 1943 and RCW 31.12.400; repealing section 30, chapter 173, Laws of 1933, section 22, chapter 131, Laws of 1943 and RCW 31.12.410; repealing section 34, chapter 173, Laws of 1933, section 25, chapter 131, Laws of 1943 and RCW 31.12.430; repealing section 15, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.440; repealing section 16, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.450; repealing section 17, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.460; repealing section 18, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.470; repealing section 13, chapter 37, Laws of 1983 and RCW 31.12.480; repealing section 6, chapter 37, Laws of 1983 and RCW 31.12.500; repealing section 7, chapter 37, Laws of 1983 and RCW 31.12.505; repealing section 8, chapter 37, Laws of 1983 and RCW 31.12.510; repealing section 9, chapter 37, Laws of 1983 and RCW 31.12.515; repealing section 10, chapter 37, Laws of 1983 and RCW 31.12.520; repealing section 11, chapter 37, Laws of 1983 and RCW 31.12.525; repealing section 12, chapter 37, Laws of 1983 and RCW 31.12.530; repealing section 19, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.900; repealing section 9, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12.901; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1189 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to small-scale timber harvesting; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 59, chapter 3, Laws of 1983 2nd ex. sess. and RCW 84.33.071; amending section 1, chapter 146, Laws of 1981 as amended by section 3, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.073; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1190 by Representatives Grimm and Cantu (by Office of Financial Management request)

AN ACT Relating to state government; providing for capital improvements consisting of the planning, design, construction, renovation, equipping, and repair of buildings and facilities and the acquisition of a vessel and marine equipment for the department of corrections; providing for the financing thereof by the issuance of general obligation bonds, providing ways and means of payment of the bonds; adding new sections to chapter 43.83 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1191 by Representatives Ebersole, Wang, Lux, Rust, Todd, Fisher, Grimm, Haugen and Hine

AN ACT Relating to public water supply systems; and creating a new chapter in Title 70 RCW.

Referred to Committee on Environmental Affairs.

HB 1192 by Representatives Walk, Schmidt, Sutherland, Mitchell, Van Dyken and Wilson (by Department of Transportation request)

AN ACT Relating to short plats of short subdivisions; and adding a new section to chapter 58.17 RCW.

Referred to Committee on Transportation.

HB 1193 by Representatives Haugen, Barrett, Powers, Silver, Ellis, Jacobsen, Moon, Brough, Van Luven, Schoon, Braddock, Fisch, Johnson, J. King, Mitchell, Sanders, Sutherland, Van Dyken, Wang, B. Williams, J. Williams, Wilson, P. King, Hine, Stratton, Clayton, Todd, Miller and Tanner

AN ACT Relating to international trade development; creating new sections; providing an expiration date; making appropriations; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1194 by Representatives Braddock and Cantu (by Office of Financial Management request)

AN ACT Relating to general obligation bonds for the department of social and health services; adding new sections to chapter 43.83H RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1195 by Representatives Braddock, Cantu, Betzoff, Galloway, Johnson, Lewis, Tanner, West, Wilson, Van Luven, Hine, Clayton, Schoon and Miller (by Financial Management request)

AN ACT Relating to general obligation bonds for the community college system; adding new sections to chapter 28B.14F RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1196 by Representatives Braddock, J. King, Van Dyken, Tilly, Silver, Charnley, West, B. Williams, J. Williams and Barrett

AN ACT Relating to the taxation of tangible personal property to be delivered outside the state of Washington; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

HB 1197 by Representatives Sommers, Burns, Vander Stoep, Prince, Crane, Dellwo, Grimm and Miller (by Office of Financial Management request)

AN ACT Relating to higher education; amending section 28B.10.300, chapter 223, Laws of 1969 ex. sess. as last amended by section 13, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.300; amending section 3, chapter 277, Laws of 1969 ex. sess. as amended by section 3, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.030; amending section 2, chapter 201, Laws of 1977 ex. sess. and RCW 28B.80.035; creating a new section; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and making an appropriation.

Referred to Committee on Higher Education.

HB 1198 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to excise taxation; and amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 25, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.050.

Referred to Committee on Ways & Means.

HB 1199 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to revenue and taxation; amending section 42, chapter 26, Laws of 1967 ex. sess. as last amended by section 6, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.130; amending section 43, chapter 26, Laws of 1967 ex. sess. as amended by section 8, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.140; and amending section 47, chapter 26, Laws of 1967 ex. sess. as amended by section 9, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.180.

Referred to Committee on Ways & Means.

HB 1200 by Representatives Walk, Cantu and Wilson (by Governor Spellman request)

AN ACT Relating to transportation; amending section 17, chapter 53, Laws of 1983 1st ex. sess. (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Transportation.

HB 1201 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to exemptions from and deferrals of property taxes and assessments; amending section 2, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 1, chapter 25, Laws of 1983 1st ex. sess. and RCW 84.36.030; amending section 84.36.040, chapter 15, Laws of 1961 as last amended by section 3, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.040; amending section 23, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.045; amending section 1, chapter 348, Laws of 1977 ex. sess. and RCW 84.36.047; amending section 84.36.050, chapter 15, Laws of 1961 as last amended by section 4, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.050; amending section 22, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.480; amending section 7, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 4, chapter 141, Laws of 1981 and RCW 84.36.805; amending section 8, chapter 40, Laws of 1973 2nd ex. sess. as last amended by section 1, chapter 185, Laws of 1983 and RCW 84.36.810; amending section 9, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 18, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.815; amending section 10, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 1, chapter 127, Laws of 1975-76 2nd ex. sess. and RCW 84.36.820; amending section 12, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 127, Laws of 1975-76 2nd ex. sess. and RCW 84.36.830; amending section 2, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.350; amending section 3, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.360; amending section 4, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.370; amending section 5, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.380; amending section 6, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.390; amending section 27, chapter 291, Laws of 1975 1st ex. sess. as amended by section 5, chapter 214, Laws of 1979 ex. sess. and RCW 84.38.020; amending section 28, chapter 291, Laws of 1975 1st ex. sess. as amended by section 6, chapter 214, Laws of 1979 ex. sess. and RCW 84.38.030; amending section 29, chapter 291, Laws of 1975 1st ex. sess. as amended by section 7, chapter 214, Laws of 1979 ex. sess. and RCW 84.38.040; amending section 35, chapter 291, Laws of 1975 1st ex. sess. as amended by section 1, chapter 322, Laws of 1981 and RCW 84.38.100; amending section 36, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.110; amending section 37, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.120; amending section 38, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.130; amending section 39, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.140; adding a new section to chapter 40, Laws of 1973 2nd ex. sess. and to chapter 84.36 RCW; repealing section 2, chapter 348, Laws of 1977 ex. sess. and RCW 84.36.048; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1202 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to sales and use taxation; amending section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 10, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.050; amending 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; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1203 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to the consolidation of the real estate excise tax and the conveyance tax; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 20, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.45.060; repealing section 82.20.005, chapter 15, Laws of 1961 and RCW 82.20.005; repealing section 82.20.010, chapter 15, Laws of 1961, section 7, chapter 35, Laws of 1982 1st ex. sess., section 14, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.20.010; repealing section 82.20.020, chapter 15, Laws of 1961, section 57, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.020; repealing section 82.20.030, chapter 15, Laws of 1961, section 58, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.030; repealing section 82.20.040, chapter 15, Laws of 1961, section 59, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.040; repealing section 82.20.050, chapter 15, Laws of 1961 and RCW 82.20.050; repealing section 82.20.060, chapter 15, Laws of 1961, section 60, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.060; repealing section 2, chapter 90, Laws of 1980 and RCW 82.20.065; repealing section 82.20.070, chapter 15, Laws of 1961 and RCW 82.20.070; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1204 by Representatives Jacobsen, Powers, Tanner, Niemi, Schoon, Braddock, Vander Stoep, Brough, J. King, McMullen, Sayan, Van Dyken, Wang, P. King, Hine and O'Brien

AN ACT Relating to port district sponsored export projects; amending section 31, chapter 1, Laws of 1973 as last amended by section 10, chapter 133, Laws of 1983 and RCW 42.17.310; amending section 11, chapter 250, Laws of 1971 ex. sess. as last amended by section 3, chapter 155, Laws of 1983 and RCW 42.30.110; adding a new chapter to Title 53 RCW; and providing a contingent effective date.

Referred to Committee on Commerce & Economic Development.

HB 1205 by Representatives Appelwick, Barrett, Powers, Silver, Ellis, Brough, McClure, Sommers, Brekke, Sayan, Braddock, Smitherman, Ebersole, Fisher, Johnson, Tanner, Van Dyken, B. Williams, J. Williams, Wilson, Van Luven, Hine, Kaiser, Niemi, Schoon, Stratton, Todd, Miller and Halsan

AN ACT Relating to international trade; establishing a provisional center for international trade in forest products; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1206 by Representatives Grimm and Cantu (by Office of Financial Management request)

AN ACT Relating to the revenue accrual account; amending section 33, chapter 7, Laws of 1983 as amended by section 57, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.32.400; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1207 by Representatives Ellis, Silver, Braddock, Barrett, Dellwo, J. King, Brough, Haugen, Johnson, R. King, Sayan, Tilly, Van Dyken, West, B. Williams, J. Williams, Wilson, Ballard, Hine, Kaiser, Stratton, Clayton, Todd, Miller and Powers

AN ACT Relating to international trade; establishing a provisional international marketing program for agricultural commodities and trade (IMPACT) center; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1208 by Representatives Braddock and Cantu (by Office of Financial Management request)

AN ACT Relating to state government; adding a new section to chapter 43.79 RCW; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1209 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to the equalization of property taxation; and amending section 84.48.080, chapter 15, Laws of 1961 as last amended by section 1, chapter 28, Laws of 1982 1st ex. sess. and RCW 84.48.080.

Referred to Committee on Ways & Means.

HJM 33 by Representatives Vekich, Sayan, Fisch, McClure, Monohon, Betrozoff, Sanders and J. Williams

Memorializing Congress to proceed with the Grays Harbor navigation improvement project.

Referred to Committee on Natural Resources.

HJM 34 by Representatives Tilly and Armstrong

Petitioning Congress to adopt the "Taxpayer Antitrust Enforcement Act of 1983".

Referred to Committee on Judiciary.

HJR 42 by Representatives Tilly, Broback, Brough, Fuhrman, Hastings, Johnson, Mitchell, Padden, Patrick, Sanders, West, B. Williams, J. Williams, Wilson, Van Luven, Ballard, Chandler, Isaacson and Struthers

Enacting constitutional limitations on tax increases.

Referred to Committee on Ways & Means.

HJR 43 by Representatives D. Nelson, Pruitt and Fisch

Amending the Constitution to permit automatic carry-over of bills from one session to the next within the same legislature.

Referred to Committee on Constitution, Elections & Ethics.

HJR 44 by Representatives Charnley, Isaacson, Egger, Haugen, Allen, Ballard, Garrett, Van Luven, Van Dyken, Smitherman, Todd and Hine

Establishing procedures for the adoption of county home rule charters.

Referred to Committee on Local Government.

MOTIONS

Mr. Heck moved that the bills, memorials and resolutions listed on the agenda under the fourth order of business be considered first reading and referred to the committees designated.

Mr. Barrett moved that the motion be amended and House Joint Memorial No. 34 be referred to Committee on Judiciary.

Mr. Heck spoke in favor of the motion and it was carried. The motion by Representative Heck as amended was carried.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 31.

INTRODUCTION AND FIRST READING

HCR 32 by Representatives Heck and G. Nelson

Establishing cutoff dates for the introduction and consideration of legislation during the 1984 regular session of the 48th legislature.

MOTION

On motion of Mr. Heck, the rules were suspended, and House Concurrent Resolution No. 32 was advanced to second reading and read the second time in full.

Mr. Ballard moved adoption of the following amendment:

On page 1, lines 15, 23 and 30 and on page 2, line 8 following "supplemental budget" insert "legislation relating to workers compensation"

Mr. Ballard spoke in favor of the amendment, and Mr. Heck spoke against it.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ballard to House Concurrent Resolution No. 32, and the amendment was not adopted by the following vote: Yeas, 43; nays, 51; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Mr. Cantu moved adoption of the following amendment:

On page 1, lines 15, 23 and 30 and on page 2, line 8 following "supplemental budget" insert "legislation controlling governmental growth"

Mr. Cantu spoke in favor of the amendment, and Mr. Heck spoke against it.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Cantu to House Concurrent Resolution No. 32, and the amendment was not adopted by the following vote: Yeas, 43; nays, 51; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Mr. Tilly moved adoption of the following amendment:

On page 1, lines 16 and 23 and on page 2, lines 1 and 9 before "revenue" insert "reducing"

Mr. Tilly spoke in favor of the amendment and Mr. Wang spoke against it.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to House Concurrent Resolution No. 32, and the amendment was not adopted by the following vote: Yeas, 43; nays, 51; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Mr. Fiske moved adoption of the following amendment:

On page 1, lines 15, 23 and 30 and on page 2, line 8 following "supplemental budget" insert "pension funding"

Mr. Fiske spoke in favor of the amendment, and Mr. Wang spoke against it.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fiske to House Concurrent Resolution No. 32, and the amendment was not adopted by the following vote: Yeas, 43; nays, 51; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke,

Lux, McClure, McMullen, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

House Concurrent Resolution No. 32 was adopted.

MESSAGE FROM THE SENATE

January 9, 1984

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 138,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SCR 138 by Senators Bottiger and Fleming

Adopting joint rules for the Forty-eighth Legislature.

MOTION

Mr. Heck moved that the rules be suspended and Senate Concurrent Resolution No. 138 be advanced to second reading and placed on the second reading calendar for the next working day.

Mr. Barrett spoke in favor of the motion and it was carried.

REPORTS OF STANDING COMMITTEES

January 4, 1984

HB 30 Prime Sponsor, Representative Locke: Permitting a candidate for district court judge who receives a majority at the primary to appear unopposed on the general election ballot. Reported by Committee on Rules

Referred to Committee on Constitution, Elections & Ethics.

July 16, 1983

SHB 71 Prime Sponsor, Committee on Ways & Means: Making the geothermal account not subject to appropriation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do Pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Fiske, Gallagher, Isaacson, Jacobsen, Locke, Long, Miller, Moon, Nealey, Pruitt and Sutherland.

Absent: Representatives Bond, Fuhrman, Hastings and Martinis.

Passed to Committee on Rules for second reading.

January 5, 1984

SHB 85 Prime Sponsor, Committee on Labor: Revising definitions and procedures of public employees' collective bargaining. Reported by Committee on Labor

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fischer, Patrick and Sayan.

Voting nay: Representative Struthers.

Absent: Representatives Chandler, Clayton, O'Brien and C. Smith.

Passed to Committee on Rules for second reading.

December 10, 1983

HB 145 Prime Sponsor, Representative Galloway: Revising certain laws regulating common schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Armstrong, Betzoff, Chandler, Fuhrman, Haugen, Holland, Johnson, Long, Rust, Schoon and Zellinsky.

Absent: Representatives Egger and Taylor.

Passed to Committee on Rules for second reading.

October 7, 1983

ESHB 181 Prime Sponsor, Committee on Natural Resources: Modifying provisions regarding public lands. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

Voting nay: Representatives Addison, Cantu, Fiske, Hastings, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

October 7, 1983

HB 255 Prime Sponsor, Representative Sommers: Establishing a watercraft excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust and Sayan.

Voting nay: Representatives Addison, Cantu, Fiske, Hastings, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

January 5, 1984

EHB 257 Prime Sponsor, Representative Belcher: Modifying exemption of certain agricultural employees from industrial insurance coverage. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Chandler, Dellwo, Fisch, Fisher, Patrick, Sayan and Struthers.

Absent: Representatives Clayton, O'Brien and C. Smith.

Passed to Committee on Rules for second reading.

January 4, 1984

ESHB 307 Prime Sponsor, Committee on Judiciary: Requiring the department of corrections to give notice to certain people of the disposition of inmates convicted of violent offenses. Reported by Committee on Rules

Referred to Committee on Judiciary.

January 5, 1984

HB 368 Prime Sponsor, Representative Tanner: Modifying provisions relating to cosmetology licensing. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice

Chair; Appelwick, Barrett, Braddock, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schoon, Silver, L. Smith, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Voting nay: Representative Brough.

Absent: Representatives Schmidt, Smitherman and Wilson.

Passed to Committee on Rules for second reading.

January 4, 1984

HB 626 Prime Sponsor, Representative Grimm: Modifying provisions concerning adoption. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative G. Nelson.

Passed to Committee on Rules for second reading.

January 5, 1984

HB 669 Prime Sponsor, Representative Lux: Requiring public disclosure for records of handlers of hazardous wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representative Clayton.

Absent: Representatives Hankins and Patrick.

Passed to Committee on Rules for second reading.

January 4, 1984

HB 699 Prime Sponsor, Representative D. Nelson: Facilitating citizen participation in the political process. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Schoon, Sommers and Zellinsky.

Absent: Representatives Patrick, Tanner and Vander Stoep.

Passed to Committee on Rules for second reading.

January 4, 1984

SHB 713 Prime Sponsor, Committee on Social & Health Services: Providing procedures for contributions by cities and towns to county or city-county health departments. Reported by Committee on Rules

Referred to Committee on Social & Health Services.

October 7, 1983

HB 823 Prime Sponsor, Representative Grimm: Modifying provisions relating to claims against the state. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Hine, J. King, McClure, Monohon, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond, Kreidler and Taylor.

Passed to Committee on Rules for second reading.

July 15, 1983

HB 827 Prime Sponsor, Representative Pruitt: Prohibiting counterfeit voters' and candidates' pamphlets. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Schoon, Sommers, Tanner, Vander Stoep and Zellinsky.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

November 4, 1983

HB 843 Prime Sponsor, Representative Monohon: Revising provisions relating to employer contributions for retirement benefits. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Addison, Bond, Kreidler and G. Nelson.

Passed to Committee on Rules for second reading.

January 4, 1984

EHB 860 Prime Sponsor, Representative Jacobsen: Requiring notification of condominium associations before condominium sales are closed. Reported by Committee on Rules

Referred to Committee on Judiciary.

December 10, 1983

SHB 1017 Prime Sponsor, Committee on Education: Changing the axle requirements for school buses. Reported by Committee on Education

MAJORITY recommendation: Do Pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Dickie, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon and Zellinsky.

Absent: Representatives Egger and Taylor.

Passed to Committee on Rules for second reading.

October 7, 1983

HB 1083 Prime Sponsor, Representative Grimm: Relating to fiscal matters. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Sayan, Smitherman, Struthers, Taylor and Tilly.

Absent: Representatives Bond and Kreidler.

Passed to Committee on Rules for second reading.

July 16, 1983

HJM 30 Prime Sponsor, Representative D. Nelson: Petitioning Congress to designate the Hanford Reservation as a National Energy Center. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do Pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Fiske, Gallagher, Isaacson, Jacobsen, Locke, Long, Miller, Moon, Nealey, Pruitt and Sutherland.

Absent: Representatives Bond, Fuhrman, Hastings and Martinis.

Passed to Committee on Rules for second reading.

January 4, 1984

EHJR 18 Prime Sponsor, Representative P. King: Requiring a simple majority vote to pass a school levy. Reported by Committee on Rules

Referred to Committee on Constitution, Elections & Ethics.

December 10, 1983

SHJR 29 Prime Sponsor, Committee on Education: Removing forty percent validation requirement for excess levy elections. Reported by Committee on Education

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon and Zellinsky.

Voting nay: Representatives Dickie and Fuhrman.

Absent: Representatives Egger and Taylor.

Passed to Committee on Rules for second reading.

MOTIONS

Mr. Heck moved that the bills listed on today's reports of standing committees be referred to the committees designated.

Mr. Barrett moved that the motion be amended and all bills listed on reports of standing committees be rereferred to the committees from which they were reported.

Representatives Barrett and G. Nelson spoke in favor of the motion to amend the Heck motion, and Representatives Heck and Moon spoke against it.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

Mr. Barrett spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Representative Barrett to amend the motion to refer the bills listed on reports of standing committees, and the motion was lost by the following vote: Yeas, 43; nays, 51; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

The motion by Representative Heck was carried.

MESSAGE FROM THE SENATE

January 9, 1984

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 31,

SENATE CONCURRENT RESOLUTION NO. 137,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
SENATE CONCURRENT RESOLUTION NO. 137.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Taylor served notice that he would, on the next working day, offer an amendment to House Rule 14.

MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

THIRD READING

ENGROSSED HOUSE JOINT MEMORIAL NO. 16, by Representatives Belcher, Hankins, Hine, Long, Ellis, Schmidt, Sommers, Allen, Niemi, Silver, Powers, Brough, Brekke, Miller, Rust, Fisher, Galloway, Stratton, Monohon, Haugen, Heck, G. Nelson, Wang, Schoon, Appelwick, Betzoff, Pruitt, Johnson, Smitherman, Mitchell, Zellinsky, Vander Stoep, Burns, Patrick, Jacobsen, Ballard, D. Nelson, McDonald, Garrett, Addison, Fisch, Taylor, McMullen, Van Dyken, Vekich, Chandler, Gallagher, Tanner, Sutherland, Ristuben, Crane, Braddock, Moon, Armstrong, Lux, J. King, Todd, Kreidler, Charnley, R. King, Halsan, Locke, Martinis, Kaiser, J. Williams, Ebersole, Isaacson, Dellwo, Holland, O'Brien and Lewis

Requesting the adoption of the Economic Equity Act II.

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

Representatives Belcher and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 16, and the memorial passed the House by the following vote: Yeas, 94; nays, 0 excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Engrossed House Joint Memorial No. 16, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 749, by Committee on Local Government (originally sponsored by Representatives Charnley and Ebersole)

Providing procedures for municipalities to prequalify contractors.

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

Mr. Charnley spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Charnley, do you believe that by imposing this red tape on the contractors that there will be a tendency for the very small contractors not wanting to bid on these public contracts?"

Mr. Charnley: "No, Representative Sanders, I do not believe that this will, in any way, give us that effect. I have spoken to a few who have said they would welcome the chance and they won't have to go through a hassle or be questioned as to whether or not they are qualified. Electrical contractors would then be bidding on electrical jobs and other contractors for the specific jobs for which they are qualified. I really believe it will be in their best interest to have this and not as a hindrance or a block."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 749, and the bill passed the House by the following vote: Yeas, 94; nays, 0 excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Substitute House Bill No. 749, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 911, by Representative Barrett

Authorizing an additional method of county road improvement district formation.

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

Mr. Barrett spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 911, and the bill passed the House by the following vote: Yeas, 94; nays, 0 excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

House Bill No. 911, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 152, by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, McMullen, Patrick, Johnson, Isaacson, Burns, Silver, Stratton, Haugen, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux, Holland, Schmidt, D. Nelson, Brekke and Locke

Regulating fund-raising activities during legislative sessions.

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

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 152, and the bill passed the House by the following vote: Yeas, 89; nays, 5; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Armstrong, Clayton, Hastings, Jacobsen, Moon - 5.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Engrossed House Bill No. 152, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 411, by Representatives Monohon, Sommers and Fiske

Modifying water power license fees.

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

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 411, and the bill passed the House by the following vote: Yeas, 94; nays, 0 excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Engrossed House Bill No. 411, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 412, by Representatives Monohon, Sommers and Fiske

Modifying fees and expenses under the water rights codes.

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

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

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 412, and the bill passed the House by the following vote: Yeas, 94; nays, 0 excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Engrossed House Bill No. 412, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 724, by Representatives R. King and Isaacson

Restricting circumstances under which an employer may lay off injured workers.

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

Mr. R. King spoke in favor of passage of the bill.

The Clerk called the roll on the final passage of Engrossed House Bill No. 724, and the bill passed the House by the following vote: Yeas, 94; nays, 0 excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Engrossed House Bill No. 724, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 531, by Representatives Hine and Charnley

Authorizing certain studies by groups of local government entities formed for joint insurance purposes.

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

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 531, and the bill passed the House by the following vote: Yeas, 94; nays, 0 excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

House Bill No. 531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 571, by Committee on Local Government (originally sponsored by Representatives Hankins, Isaacson, Sutherland, Dickie, Stratton, Lewis, Moon, Nealey, Clayton and Van Dyken)

Specifying procedure for removal of territory from public hospital districts.

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

Ms. Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 571, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Substitute House Bill No. 571, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 574, by Representatives Hine, Van Dyken, Garrett, Isaacson, Kreidler, Haugen, Mitchell, Allen, Ballard and Broback

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

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

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 574, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Isaacson, Monohon, O'Brien - 4.

Engrossed House Bill No. 574, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 2:15 p.m.

The Speaker called the House to order at 2:15 p.m.

JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the House and the Senate to escort the President of the Senate, Lieutenant Governor John Cherberg, President Pro Tem H. A. "Barney" Goltz, Vice President Pro Tem A. L. "Slim" Rasmussen, Democratic Majority Leader R. Ted Bottiger and Republican Leader Jeannette Hayner to seats on the rostrum.

The Speaker invited the Senators to seats within the House Chamber.

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

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

The Clerk of the House called the roll of the House and all members were present except Representatives Bond, Isaacson and Monohon, who were excused.

The President of the Senate appointed Senators Bottiger, Hayner and Fleming and Representatives Niemi, Hastings and Kaiser to escort the state elected officials from the State Reception Room to seats within the House Chamber.

The President of the Senate appointed Senators Craswell, Hurley, Conner and Hemstad and Representatives Hine, Gallagher, Barrett and Wang to escort the Supreme Court Justices to seats within the House Chamber.

The President of the Senate appointed Senators Gaspard, Moore, Quigg and McCaslin and Representatives Beicher, Allen, Armstrong and Padden to escort Governor Spellman from his office to the rostrum.

The President introduced Governor John Spellman.

STATE OF THE STATE ADDRESS

TOWARD A GENERATION OF PROSPERITY

Governor Spellman: "Lieutenant Governor Cherberg, Speaker Ehlers, Honorable Justices of the Supreme Court, Honorable members of the 48th Legislature, other honorable statewide elected officials, ladies and gentlemen:

"In these past three years, our most fundamental governmental priorities have been tested. We have had to redefine who we are and what we demand of our government. We have to count every dollar, and we have had to make every dollar count. Let the record of these past three years show that we have met the great challenges of our time, that we kept the faith. We maintained our education system. We cut the growth of state government in half; and we restored its fiscal integrity. With the help and guidance of our citizens, we made enlightened, although difficult, reductions in social services while still preserving those that are vital. We have launched the most aggressive and broadly based jobs-and-economic-development initiatives in a generation. We have dramatically reduced carnage on our highways and we have protected our environment. In short, we have kept Washington State the best place to live in America.

"Our great challenges were borne on mounting flood tides of global and national recession -- factors beyond our borders and outside our control. Washington found itself in a depression. Two separate legislatures, under two different majorities, were called upon to raise taxes, in order that tens of thousands of their fellow Washingtonians would not be deprived of all resources. We did not abandon government's most basic pledge -- to protect the commonwealth and serve the helpless. Those difficult political decisions kept our school system intact and brought health care to poor children, food to hungry families, chore services to our senior citizens, and unemployment checks to jobless breadwinners.

"We have seen the worst of times in a generation, and now we must set our sights on creating the best of times in our generation and for generations to follow. We must now move toward a generation of prosperity for Washington. We must proceed on a steady, responsible course of progress.

"Having now turned the corner of economic recovery, we must not soon forget the lessons we learned in the second darkest economic times of this century. Never again should we tiptoe on the edge of delicately balanced budget books -- without reserves, with pension liabilities mounting and with operating surpluses too slender to respond to inevitable, unexpected needs.

"Today the condition of the affairs of the state of Washington is good and getting better, but we should remember that state government is a patient that has just come through the post-operative period. Its prospects for the future could not be rosier, but let's be realistic: This is not the time to take on more than we are sure we can handle. We cannot spend a lot of money because we don't have a lot of money to spend. There is a great deal we can do that will not cost a great deal of money. We can, in this session, set the course for Washington's amazing tomorrows.

"As you know, the Governor has the last vote in the legislative process, and I have established three criteria by which I will judge the work of this session. My criteria are: Vision, responsibility and excellence. This session must do the best it can with what we have available now in order to build a better tomorrow for us all, but we cannot so soon forget the repeated fiscal traumas through which we have so recently come. Our vision must be tempered with pragmatism based on experience. We cannot invent mirages of the future simply to satisfy the desires of today.

"Our available revenue remains limited, even in light of our optimistic projections for economic growth throughout 1984, but 1985 remains in doubt. I, for one,

will not willingly return to the nightmare syndrome of cuts and taxes brought on by unfulfilled revenue expectations. We must not condemn ourselves to repeat the mistakes of the past, and the past three years have taught us to be fiscally conservative, and so we must remain. That is the responsible course.

"The pension money from the preceding biennium's surplus is untouchable. It is a commitment to retired school teachers, state employees, and police and firefighters. That is the law passed by this Legislature, and it shall be executed in order to ensure the fiscal integrity and stability of this government. That is the responsible course.

"There is much to be done and only sixty days in which to do it. I do not intend today to review with you in detail the elements of my proposed supplemental operating and capital budgets nor my executive request bills; they have they delivered to each of you for your review and approval. In general, what I want from this Legislature is:

- To work for our children;
- To set the course for a generation of prosperity;
- To live within our means, without tax hikes;
- To establish excellence in education;
- To redouble our economic-development efforts; and
- To stop the pollution of our air.

"My theme for this session is children. They are our future. They must be given excellent education. They must be given equal access to mental health care. They must be protected from neglect and abuse. They must be sheltered from the pollution of drugs and alcohol, and they must learn responsible citizenship or lose their driving privileges. I have submitted to you bills that address each item on this children's agenda.

"Even during the past hard times, we consistently applied ourselves to making the Washington our children will inherit a better place to live and work. The need for new jobs in this state remains acute. The welfare of our citizens is best addressed by strong, permanent jobs in a burgeoning economy. We have had the vision to lay foundations for our children's and our own future economic prosperity. We opened a state trade office in Tokyo. We established formal ties with Sichuan Province in the People's Republic of China. We have embarked on aggressive global marketing of our agricultural products, and we have developed the best international relations this state has ever known. World trade is our future. It is the wellspring from which our future jobs will flow. The responsible course for this Legislature is to restore full funding to the development of international trade and to provide new incentives for increased export sales. This is not a one-year budget issue I am talking about; this is the future of our children and our children's children.

"We created a tourism promotion program to create jobs and economic development where they were most needed. Tourism is our nation's fastest producer of jobs and will be a growth industry for decades. The responsible course for this Legislature is to restore full funding to tourism promotion.

"We, together with the people, established local industrial revenue bonding authority that is today bringing hundreds of millions of dollars of private investment and thousands of jobs into our communities. The responsible course for this Legislature is to expand revenue bonding authority to allow smaller businesses and smaller communities to achieve the program's full benefits.

"Even in our darkest hours, most of the private sector did not lose faith in our future and many enterprises undertook major capital development plans. At the same time, the public sector worked successfully to lure new employers from out of state and from around the world. The responsible course for this Legislature is to restore full funding to the state's industrial development program.

"Requiring a new employer to pay sales tax on the barrelhead for constructing a new commercial or industrial facility before a single job or product is produced there puts us at a competitive disadvantage with other states. The responsible course for this Legislature is to allow the temporary deferral of those taxes until the new business is up and running.

"As we look to the future of Washington, to our children's Washington, we can see limitless opportunities to create the greatest prosperity we have ever known. A

clear vision of our future, the right tools and hard work are all we need. One of those tools is community redevelopment financing, an innovative technique used in many other states to finance public improvements necessary for local governments to encourage the private redevelopment of blighted areas. The responsible course for this Legislature is to send this issue to the people next November.

"Throughout all of our jobs and economic development initiatives, the state has worked closely with local governments, and we should never forget that while we have some of the world's greatest urban areas, we are really a state of small communities. The State of Washington today enjoys better relationships with its local governments than ever before, but the innovative agency that created local industrial revenue bonding, Urban Development Action Grants for smaller communities, a \$200 million Housing Finance Commission program, and other major initiatives is now faced with extinction. The responsible course for this Legislature is to reauthorize this agency as the Department of Community Development.

"During our darkest hours, we resisted the temptation to tamper with our unique natural environment, even as we streamlined our environmental laws to accelerate desirable economic development. We took the responsible course. We protected, defended and preserved Puget Sound's clean water from very real threats. Our people love our unique environment. It is the responsible course for this Legislature now to protect, defend and preserve our clean air by taking on the issue of acid rain and by authorizing a two thousand percent increase in the maximum penalty for air pollution. Our environment is our future and our legacy to generations unborn.

"But Washington's most precious environment is not its scenic wonders or its bountiful ecology. Washington's most precious environment is the mind and spirit of our children. The past few years have seen a growing public concern that we, as a society, are failing to achieve the potential of our most precious resource -- our only unlimited resource -- the human mind. It is the indisputable reality that the successful future of this state and its people depends on education more than on any other factor. Our state and its concerned people anticipated the national trend toward educational reform and have worked hard to develop programs that will carry us into the 21st century. This emerging vision of the future for the nearly one million young Washingtonians in public education today -- and for those that follow them -- must become reality now. Failure to pursue vigorously the educational reforms that the Temporary Committee and I, among others, have proposed is to tamper with the bedrock upon which our future rests and to lose faith with the clear and present will of the people.

"Education is the number-one business of this state government, and it is the critical business of this session. We must finish the work of meeting our mandate to provide fully for basic education, but meeting our minimum responsibilities falls short of developing our maximum potential. We should attempt to realize in concrete terms the aspirations of our people for better results in our common schools, as expressed to the Temporary Committee on Educational Policies.

"The Excellence for Education Act of 1984 seeks to turn widely-shared goals into reality. It is a balanced, action-oriented proposal that says that we are not satisfied with pass/fail sufficiency but that we demand A-plus proficiency. It is not enough for the people of Washington to have an O.K. educational system. We want the best system we can have, and it is the responsible course for this Legislature to take the first steps toward making that happen.

"I have asked for tougher standards and better training for students and new teachers. I have asked that you mandate programs for the gifted as part of our basic education responsibility, while maintaining our commitment to each student based upon his or her unique potential. That the State Board of Education be allowed to ensure that a high school diploma represents a measure of functional literacy and that special provisions be made for our disabled students. I have asked that teachers be recognized and rewarded for excellence, and be given effective, focused training to broaden their skills. That the effort to help dropouts and to reduce the drop-out rate be intensified. As part of that effort, I have also proposed passage of the Juvenile Responsibility Act of 1984. The minds of too many of our young people are being polluted with drugs and alcohol. They cannot learn

when they sit in the classroom stoned. I propose that if they are caught being irresponsible with drugs and alcohol, then they must be forced to learn responsibility by losing their driving privileges. I have proposed in my supplemental budget an aggressive program of drug and alcohol education throughout our school system. It is the responsible course for this Legislature to help preserve, protect and defend young minds from the pollution of drugs and alcohol.

"As Governor, I have traveled extensively throughout the Pacific Rim of Asia. What I have seen--whether in China or Japan or Korea--are societies that place a tremendous emphasis on education as their means of achieving the ends of prosperity and happiness for their people. Some of these nations are resource-poor, but their economic growth in recent decades has been nothing short of awesome. The reason for their success is that they have aggressively developed their most precious resources of the mind. They have succeeded in their factories because they first succeeded in their classrooms.

"The economic condition and the quality of life in the Washington and United States of the 21st century will depend profoundly upon how well-educated our people are. It is vital that our educational system provide means of retraining workers displaced by an increasingly complex and changing world. The strength of our college and university program is critical to our children's social and economic success. Let us be mindful that today's kindergarteners are the college graduating class of the year 2000. The time for us to act in order to ensure their future place in the world is now.

"They do indeed have a central role to play in the Century of the Pacific. In my foreign travels to promote the friendship and trade interests of this state, I have seen the future and it is us. The Washington of the 21st century is the crossroads of a new global economic order. Washingtonians will communicate in all the languages of the world, especially those of Asia. Our cities will be international service centers catering to the professional needs of the world. Our people will be the best-educated in America. Our agricultural products will be staples on the dinner tables of six continents and our wines will be the envy of France. Our ports will be crowded with global traffic -- we will be one of the great hubs of global commerce. We will be America's new front door and its turnstile to Asia.

"Our partnership in prosperity with Alaska will be bearing its richest fruits. Our environment's clean air and water, its breathtaking beauty, will be legend throughout the globe, and the whole world will come to visit and share with us this great place in which it is our blessing to live. Our communities will be alive with arts and culture. We will be a prosperous people who will represent the culmination of the great American experiment in tolerance and cooperation. There will be good jobs, good living and an unencumbered pursuit of happiness in the Washington of the 21st century. Our senior citizens, who have shared and contributed to this vision will enjoy security and respect. We will be what Washingtonians have always wanted to be -- the best at everything.

"It is the responsible course for this Legislature to step confidently toward the 21st century.

"As ever, I wish you well and I offer you my cooperation, an open door and an open mind. It would be nice if we could all get through the next sixty days as friends, but if we can't do that, we should be able to get through it as ladies and gentlemen.

"Thank you for your attention and God bless you."

The President of the Senate instructed the committee to escort Governor Spellman from the House Chamber to his office.

The President of the Senate instructed the committees to escort the State Elected Officials and the Supreme Court Justices from the House Chamber.

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

MOTION

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

The Speaker instructed the committee to escort President Cherberg, President Pro Tem Goltz, Vice President Pro Tem Rasmussen, Democratic Majority Leader

Bottiger, Republican Leader Hayner and the members of the Senate from the House Chamber.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Tuesday, January 10, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

SECOND DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, January 10, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bond, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Debbie Schoon and Mitzi Sutherland. Prayer was offered by The Reverend Rick Quast, Minister of the Seventh Day Adventist Church of Lacey.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The House stood in a moment of silent prayer in memory of the late Representative John Merrill.

MESSAGE FROM THE SENATE

January 9, 1984

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 32.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 32.

INTRODUCTIONS AND FIRST READING

HB 1210 by Representatives Walk, Schmidt, Sutherland, Betzoff, Mitchell, Wilson, Clayton, Brough and Schoon (by Department of Transportation request)

AN ACT Relating to the state ferry system; and amending section 8, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.081.

Referred to Committee on Transportation.

HB 1211 by Representatives Smitherman, Armstrong, Zellinsky and Brekke

AN ACT Relating to drivers' instructions permits; and amending section 10, chapter 260, Laws 1981 and RCW 46.20.055.

Referred to Committee on Transportation.

HB 1212 by Representatives Stratton, Barrett, Dellwo, West, Ballard, Kreidler, Smitherman, Broback, Brekke, Hine, Johnson, Long, Mitchell, Silver, Van Luven, Isaacson, Todd and Miller

AN ACT Relating to children and family services; adding a new chapter to Title 26 RCW; creating new sections; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 1213 by Representatives Armstrong, Padden, McMullen, Schmidt and Dellwo

AN ACT Relating to trusts; amending section 5, page 364, Laws of 1854 as last amended by section 30, Code of 1881 and RCW 4.16.110; amending section 5, chapter 113, Laws of 1935 and RCW 7.24.050; amending section 11.02.005, chapter 145, Laws of 1965 as last amended by section 14, chapter 80, Laws of 1977 ex. sess. and RCW 11.02.005; amending section 11.02.010, chapter 145, Laws of 1965 and RCW 11.02.010; amending section 11.02.020, chapter 145, Laws of 1965 and RCW 11.02.020; amending section 11.02.060,

chapter 145, Laws of 1965 and RCW 11.02.060; amending section 11.12.250, chapter 145, Laws of 1965 and RCW 11.12.250; amending section 11.28.240, chapter 145, Laws of 1965 and RCW 11.28.240; amending section 11.36.010, chapter 145, Laws of 1965 as last amended by section 1, chapter 51, Laws of 1983 and RCW 11.36.010; amending section 21, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.090; amending section 23, chapter 117, Laws of 1974 ex. sess. as amended by section 26, chapter 234, Laws of 1977 ex. sess. and RCW 11.68.110; amending section 11.92.040, chapter 145, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1979 and RCW 11.92.040; amending section 11.92.150, chapter 145, Laws of 1965 as last amended by section 30, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.92.150; amending section 5, chapter 53, Laws of 1967 ex. sess. and RCW 19.10.050; amending section 6, chapter 53, Laws of 1967 ex. sess. as amended by section 2, chapter 226, Laws of 1971 ex. sess. and RCW 19.10.060; amending section 4, chapter 226, Laws of 1971 ex. sess. and RCW 19.10.073; amending section 5, chapter 226, Laws of 1971 ex. sess. and RCW 19.10.075; amending section 11, chapter 53, Laws of 1967 ex. sess. as amended by section 64, chapter 81, Laws of 1971 and RCW 19.10.110; amending section 12, chapter 53, Laws of 1967 ex. sess. and RCW 19.10.120; amending section 1, chapter 58, Laws of 1971 and RCW 19.10.200; amending section 2, chapter 58, Laws of 1971 and RCW 19.10.210; amending section 3, chapter 58, Laws of 1971 and RCW 19.10.220; amending section 4, chapter 58, Laws of 1971 and RCW 19.10.230; amending section 5, chapter 58, Laws of 1971 as amended by section 3, chapter 41, Laws of 1982 1st ex. sess. and RCW 19.10.240; amending section 6, chapter 58, Laws of 1971 and RCW 19.10.250; amending section 7, chapter 58, Laws of 1971 and RCW 19.10.260; amending section 1, chapter 202, Laws of 1959 as last amended by section 30, chapter 292, Laws of 1971 ex. sess. and RCW 21.24.010; amending section 2, chapter 202, Laws of 1959 as amended by section 2, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.020; amending section 3, chapter 202, Laws of 1959 as amended by section 3, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.030; amending section 4, chapter 202, Laws of 1959 as last amended by section 31, chapter 292, Laws of 1971 ex. sess. and RCW 21.24.040; amending section 5, chapter 202, Laws of 1959 and RCW 21.24.050; amending section 6, chapter 202, Laws of 1959 as amended by section 5, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.060; amending section 7, chapter 202, Laws of 1959 as last amended by section 32, chapter 292, Laws of 1971 ex. sess. and RCW 21.24.070; amending section 8, chapter 202, Laws of 1959 and RCW 21.24.080; amending section 52, chapter 117, Laws of 1974 ex. sess. and RCW 11.94.010; amending section 53, chapter 117, Laws of 1974 ex. sess. as amended by section 27, chapter 234, Laws of 1977 ex. sess. and RCW 11.94.020; amending section 1, chapter 160, Laws of 1955 and RCW 64.24.010; amending section 2, chapter 160, Laws of 1955 and RCW 64.24.020; amending section 3, chapter 160, Laws of 1955 and RCW 64.24.030; amending section 4, chapter 160, Laws of 1955 and RCW 64.24.040; amending section 2, chapter 124, Laws of 1959 and RCW 30.99.020; amending section 1, chapter 124, Laws of 1959 as amended by section 49, chapter 3, Laws of 1983 and RCW 30.99.010; amending section 3, chapter 124, Laws of 1959 and RCW 30.99.030; amending section 5, chapter 124, Laws of 1959 and RCW 30.99.050; amending section 7, chapter 124, Laws of 1959 and RCW 30.99.070; amending section 8, chapter 124, Laws of 1959 and RCW 30.99.080; amending section 9, chapter 124, Laws of 1959 and RCW 30.99.090; amending section 10, chapter 124, Laws of 1959 as amended by section 50, chapter 3, Laws of 1983 and RCW 30.99.100; amending section 11.98.010, chapter 145, Laws of 1965 and RCW 11.98.010; amending section 11.98.020, chapter 145, Laws of 1965 and RCW 11.98.020; amending section 11.98.030, chapter 145, Laws of 1965 and RCW 11.98.030; amending section 11.98.040, chapter 145, Laws of 1965 and RCW 11.98.040; amending section 11.98.050, chapter 145, Laws of 1965 as amended by section 1, chapter 229, Laws of 1971 ex. sess. and RCW 11.98.050; amending section 30.24.020, chapter 33, Laws of 1955 and RCW 30.24.020; amending section 30.24.030, chapter 33, Laws of 1955 as amended by section 3, chapter 133, Laws of 1967 and RCW 30.24.030; amending section 4, chapter 133, Laws of 1967 and RCW 30.24.037; amending section 30.24.050, chapter 33, Laws of 1955 and RCW 30.24.050; amending section 30.24.070, chapter 33, Laws of 1955 and RCW 30.24.070; amending section 30.24.090, chapter 33, Laws of 1955 and RCW 30.24.090; amending section 1, chapter 89, Laws of 1973 1st ex. sess. and RCW 30.24.120; amending section 1, chapter 74, Laws of 1971 and RCW 11.104.010; amending section 2, chapter 74, Laws of 1971 and RCW 11.104.020; amending section 3, chapter 74, Laws of 1971 and RCW 11.104.030; amending section 4, chapter 74, Laws of 1971 and RCW 11.104.040; amending section 5, chapter 74, Laws of 1971 and RCW 11.104.050; amending section 6, chapter 74, Laws of 1971 and RCW 11.104.060; amending section 7, chapter 74, Laws of 1971 and RCW 11.104.070; amending section 8, chapter 74, Laws of 1971 and RCW 11.104.080; amending section 9, chapter 74, Laws of 1971 and RCW 11.104.090; amending section 12, chapter 74, Laws of 1971 and RCW 11.104.120; amending section 13, chapter 74, Laws of 1971 and RCW 11.104.130; amending section 30.30.010, chapter 33, Laws of 1955 and RCW 30.30.010; amending section 30.30.020, chapter 33, Laws of 1955 and RCW 30.30.020; amending section 30.30.030, chapter 33, Laws of 1955 and RCW 30.30.030; amending section 30.30.040, chapter 33, Laws of 1955 and RCW 30.30.040; amending section 30.30.050, chapter 33, Laws of 1955 and RCW 30.30.050; amending section 30.30.060, chapter 33, Laws of 1955 as amended by section 31, chapter 80, Laws of 1977 ex.

sess. and RCW 30.30.060; amending section 30.30.070, chapter 33, Laws of 1955 and RCW 30.30.070; amending section 30.30.080, chapter 33, Laws of 1955 and RCW 30.30.080; amending section 30.30.090, chapter 33, Laws of 1955 as amended by section 80, chapter 81, Laws of 1971 and RCW 30.30.090; amending section 30.30.100, chapter 33, Laws of 1955 and RCW 30.30.100; amending section 30.30.110, chapter 33, Laws of 1955 and RCW 30.30.110; amending section 8, chapter 122, Laws of 1969 and RCW 18.100.080; amending section 25.04.020, chapter 15, Laws of 1955 and RCW 25.04.020; amending section 25.04.150, chapter 15, Laws of 1955 and RCW 25.04.150; amending section 30.04.310, chapter 33, Laws of 1955 and RCW 30.04.310; amending section 127, chapter 247, Laws of 1943 as last amended by section 19, chapter 21, Laws of 1979 and RCW 68.44.030; adding a new section to chapter 4.16 RCW; adding new chapters to Title 11 RCW; adding new sections to chapter 11.12 RCW; adding a new section to chapter 11.36 RCW; adding a new section to chapter 11.92 RCW; adding a new section to chapter 11.93 RCW; adding new sections to chapter 11.94 RCW; adding new sections to chapter 11.95 RCW; adding new sections to chapter 11.96 RCW; adding a new section to chapter 11.97 RCW; adding new sections to chapter 11.98 RCW; adding new sections to chapter 11.100 RCW; adding a new section to chapter 64.28 RCW; creating new sections; recodifying RCW 11.02.030; recodifying RCW 19.10.010; recodifying RCW 19.10.020; recodifying RCW 19.10.040; recodifying RCW 19.10.070; recodifying RCW 19.10.080; recodifying RCW 19.10.090; recodifying RCW 19.10.100; recodifying RCW 19.10.125; recodifying RCW 19.10.130; recodifying RCW 19.10.140; recodifying RCW 19.10.270; recodifying RCW 19.10.900; recodifying RCW 21.24.090; recodifying RCW 21.24.091; recodifying RCW 21.24.100; recodifying RCW 21.24.900; recodifying RCW 64.24.050; recodifying RCW 30.30.120; recodifying RCW 11.96.010; recodifying RCW 30.99.040; recodifying RCW 30.99.060; recodifying RCW 30.99.900; recodifying RCW 30.99.910; recodifying RCW 30.24.010; recodifying RCW 30.24.015; recodifying RCW 30.24.035; recodifying RCW 30.24.040; recodifying RCW 30.24.130; recodifying RCW 30.28.010; recodifying RCW 30.28.020; recodifying RCW 30.28.030; recodifying RCW 30.28.040; recodifying RCW 30.28.050; repealing section 11.16.050, chapter 145, Laws of 1965, section 4, chapter 168, Laws of 1967 and RCW 11.16.050; repealing section 8, chapter 88, Laws of 1967 ex. sess., section 33, chapter 292, Laws of 1971 ex. sess. and RCW 21.25.010; repealing section 9, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.020; repealing section 10, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.030; repealing section 11, chapter 88, Laws of 1967 ex. sess., section 34, chapter 292, Laws of 1971 ex. sess. and RCW 21.25.040; repealing section 12, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.050; repealing section 13, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.060; repealing section 14, chapter 88, Laws of 1967 ex. sess., section 35, chapter 292, Laws of 1971 ex. sess. and RCW 21.25.070; repealing section 15, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.080; repealing section 16, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.090; repealing section 17, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.100; repealing section 18, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.110; repealing section 19, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.900; repealing section 30.24.060, chapter 33, Laws of 1955, section 1, chapter 209, Laws of 1967 and RCW 30.24.060; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1214 by Representatives Brekke, Tilly, Ballard, Haugen, Holland, P. King, Long, Mitchell, Patrick, Sanders, B. Williams, Wilson, Silver, Van Luven, Crane, Johnson, Todd, Miller, Tanner, Addison and L. Smith (by Legislative Budget Committee request)

AN ACT Relating to volunteer chore services; adding new sections to chapter 74.08 RCW; adding new sections to chapter 43.131 RCW; repealing section 1 of this 1984 act and RCW 74.08....; and repealing section 2 of this 1984 act and RCW 74.08....

Referred to Committee on Social & Health Services.

HB 1215 by Representatives Grimm, B. Williams, Sommers, Brekke, Hastings, Long, Sanders, Schoon and L. Smith (by Legislative Budget Committee request)

AN ACT Relating to state funds; amending section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270; amending section 4, chapter 144, Laws of 1973 and RCW 43.79.282; adding a new section to chapter 43.79 RCW; adding a new section to chapter 44.28 RCW; repealing section 43.79.280, chapter 8, Laws of 1965, section 3, chapter 144, Laws of 1973 and RCW 43.79.280; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1216 by Representatives Brekke, G. Nelson, B. Williams, Long, Struthers and Taylor (by Legislative Budget Committee request)

AN ACT Relating to criminal procedure; amending section 4, chapter 133, Laws of 1955 and RCW 9.95.030; amending section 2, chapter 158, Laws of 1929 and RCW 9.95.032; amending section 15, chapter 214, Laws of 1959 as amended by section 208, chapter 141, Laws of 1979 and RCW 72.13.150; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1217 by Representatives Sommers, B. Williams, Brekke, Betrozoff and Long
(by Legislative Budget Committee request)

AN ACT Relating to the legislative budget committee's report to the legislature detailing the fiscal impact of educational clinics; and repealing section 3, chapter 174, Laws of 1979 ex. sess., section 8, chapter 87, Laws of 1980 and RCW 28A.97.100.

Referred to Committee on Education.

HB 1218 by Representatives Todd, Egger, Haugen, Nealey, Ebersole, Smitherman, Clayton and Crane

AN ACT Relating to auctioneers; amending section 35.23.440, chapter 7, Laws of 1965 as last amended by section 28, chapter 136, Laws of 1979 ex. sess. and RCW 35.23.440; amending section 36.71.070, chapter 4, Laws of 1963 and RCW 36.71.070; adding a new section to chapter 18.11 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Agriculture.

HB 1219 by Representatives R. King, Allen, Fisher, Miller, Sayan, Brekke, Fisch, Burns, Lux, McMullen and D. Nelson

AN ACT Relating to labor relations in community colleges; adding a new chapter to Title 41 RCW; repealing section 1, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010; repealing section 2, chapter 196, Laws of 1971 ex. sess., section 1, chapter 205, Laws of 1973 1st ex. sess., section 12, chapter 296, Laws of 1975 1st ex. sess. and RCW 28B.52.020; repealing section 3, chapter 196, Laws of 1971 ex. sess., section 2, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.030; repealing section 4, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.035; repealing section 4, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.050; repealing section 5, chapter 196, Laws of 1971 ex. sess., section 3, chapter 205, Laws of 1973 1st ex. sess., section 13, chapter 296, Laws of 1975 1st ex. sess. and RCW 28B.52.060; repealing section 6, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.070; repealing section 7, chapter 196, Laws of 1971 ex. sess., section 5, chapter 205, Laws of 1973 1st ex. sess., section 14, chapter 296, Laws of 1975 1st ex. sess. and RCW 28B.52.080; repealing section 8, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.090; repealing section 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.100; and repealing section 6, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.200.

Referred to Committee on Labor.

HB 1220 by Representatives Todd, Moon, Hine, Charnley, Haugen and Smitherman

AN ACT Relating to county regulation of the conveyance of real property; creating a new section; and adding new sections to chapter 64.04 RCW.

Referred to Committee on Local Government.

HB 1221 by Representatives Dellwo, Silver, Stratton, Barrett, Long, Patrick, Struthers, Taylor, Van Loven, Johnson and L. Smith

AN ACT Relating to excise taxes; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1222 by Representative Lewis

AN ACT Relating to nonhighway vehicles; and amending section 17, chapter 47, Laws of 1971 ex. sess. as last amended by section 41, chapter 136, Laws of 1979 ex. sess. and RCW 46.09.120.

Referred to Committee on Transportation.

HB 1223 by Representative Vekich (by Washington State Library request)

AN ACT Relating to the state library; amending section 1, chapter 5, Laws of 1941 as last amended by section 66, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 27.04.020; amending section 2, chapter 5, Laws of 1941 as amended by section 2, chapter 207, Laws of 1943 and RCW 27.04.030; amending section 3, chapter 207, Laws of 1943 and RCW

27.04.050; adding a new section to chapter 27.04 RCW; repealing section 1, chapter 170, Laws of 1955 and RCW 27.04.035; repealing section 7, chapter 232, Laws of 1977 ex. sess. and RCW 27.04.037; repealing section 1, chapter 232, Laws of 1945 and RCW 27.04.040; repealing section 1, chapter 39, Laws of 1949 and RCW 27.04.060; repealing section 1, chapter 67, Laws of 1967 and RCW 27.04.070; and repealing section 1, chapter 220, Laws of 1981 and RCW 27.04.090.

Referred to Committee on State Government.

HB 1224 by Representatives Haugen and Fiske

AN ACT Relating to county auditors; amending section 8, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 5, chapter 59, Laws of 1983 and RCW 28A.65.435; amending section 17, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 59, Laws of 1983 and RCW 28A.65.480; amending section 18, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 12, chapter 59, Laws of 1983 and RCW 28A.65.485; amending section 36.22.010, chapter 4, Laws of 1963 and RCW 36.22.010; amending section 36.32.180, chapter 4, Laws of 1963 and RCW 36.32.180; adding a new section to chapter 42.24 RCW; and repealing section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090.

Referred to Committee on Local Government.

MOTION

On motion of Mr. Heck, the bills listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 552, by Committee on State Government (originally sponsored by Representatives Halsan, Martinis, Vander Stoep, Padden, Heck, Fiske, Grimm, Miller, Charnley, Silver, Zellinsky, Broback, Jacobsen, Brough, McMullen, Holland, Ristuben, Chandler, Egger, Ballard, Fisher, Schmidt, Ebersole, J. Williams, Powers, Allen, Smitherman, Rust, Belcher, Locke, Galloway, Appelwick, Braddock, Crane, Todd, Walk, Armstrong, P. King, Sutherland, Brekke, Kaiser, Dellwo, McClure, Vekich, O'Brien, Hine, Moon, Niemi, Johnson and Isaacson)

Permitting off-duty patrol officers to wear their uniforms while participating in public service educational programs.

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

Mr. Halsan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 552, and the bill passed the House by the following vote: Yeas, 89; nays, 1; absent, 7; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King P. King R. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representative West - 1.

Absent: Representatives Addison, Fiske, Gallagher, Holland, King J, Prince, Tanner - 7.

Excused: Representative Bond - 1.

Substitute House Bill No. 552, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 551, by Committee on State Government (originally sponsored by Representatives Nealey, Kaiser and Hastings)

Regulating the use of the state seal.

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

Mr. Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 551, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 5; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Addison, Fiske, Gallagher, King J, Prince - 5.

Excused: Representative Bond - 1.

Substitute House Bill No. 551, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 517, by Representatives Grimm, Kreidler, Walk, Halsan and Wang

Requiring operators of carnival rides to possess liability insurance.

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

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 517, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Gallagher, King J, Prince - 3.

Excused: Representative Bond - 1.

Engrossed House Bill No. 517, having received the 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 Mr. Heck, the House advanced to the eighth order of business.

AMENDMENTS TO HOUSE RULES

Mr. Heck moved adoption of the following amendments:

Rule 11, line 3 after "by law" insert "or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by house concurrent resolution"

Rule 28, line 9 after "by law" insert "or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by house concurrent resolution"

Rule 17 (C), line 4 after "by law" insert "or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by house concurrent resolution"

Rule 21 (D), line 9 after "by law" insert "or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by house concurrent resolution"

Representative Schmidt moved adoption of the following amendment by Representatives Heck and Schmidt to the amendments:

On page 1, of the amendments, lines 4, 8, 13 and 18 following "resolution" insert "32 adopted on January 9, 1984"

Representatives Schmidt and Heck spoke in favor of the amendment to the amendments, and it was adopted.

Mr. Heck spoke in favor of the amendments as amended, and they were adopted.

Mr. Taylor moved adoption of the following amendment:

Rule 14, after subsection (C) insert:

"(D) The house shall adjourn not later than 10:00 p.m. of each working day."

Mr. Zellinsky moved adoption of the following amendment to the amendment:

On page 1 of the Taylor amendment, line 2 after "day," insert "This rule may be suspended by a majority vote."

Representatives Zellinsky and Taylor spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Taylor spoke in favor of the amendment as amended, and it was adopted.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 711, by Representatives Locke, Zellinsky, Patrick, McMullen, Niemi, Crane, Stratton, Egger, Monohon, P. King, Dellwo, Appelwick, Smitherman, Padden, Isaacson, Miller, Haugen, Belcher, D. Nelson, Wilson, Tilly, Tanner, Sanders, Holland and R. King (by Attorney General request)

Modifying provisions concerning rights of crime victims, their survivors, and witnesses of crime.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 711 was substituted for House Bill No. 711, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 711 was read the second time.

On motion of Mr. Locke, the following amendment was adopted:

On page 13, line 26 after "1984," strike "The remainder of this act shall take effect on January 1, 1984," and insert "This act shall take effect on July 1, 1984."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

ENGROSSED HOUSE BILL NO. 706, by Representatives Todd, Miller, Tilly, Lux, Isaacson, Garrett, Brough, Crane, McDonald, Walk, Taylor, Holland and Barrett

Requiring notice of taxes due on real property before assessing penalties for delinquent taxes.

The bill was read the second time.

On motion of Mr. Heck, further action on House Bill No. 706 was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

HOUSE BILL NO. 486, by Representatives Van Dyken, Braddock, B. Williams, J. King, Hastings, Tanner, Fuhrman, Barnes, Taylor and Patrick

Providing for review of local government master program adjustments.

The bill was read the second time.

On motion of Mr. Heck, House Bill No. 486 was rereferred to Committee on Rules.

HOUSE BILL NO. 401, by Representatives Pruitt and Barnes

Equalizing the length of the ballot titles for all local ballot measures.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 915, by Representative Burns

Establishing procedures and providing certain immunities to faculty peer review committees.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 915 was substituted for House Bill No. 915, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 915 was read the second time and passed to Committee on Rules for third reading.

SENATE CONCURRENT RESOLUTION NO. 138, by Senators Bottiger and Fleming

Adopting joint rules for the Forty-eighth Legislature.

The resolution was read the second time.

Mr. G. Nelson moved adoption of the following amendments:

On page 7, line 20 strike "~~(five)~~ a majority of the ~~((six))~~ members of the committee appointed from each house" and insert "five of the six members of the committee"

On page 7, line 30 strike "~~(five)~~ a majority of the ~~((six))~~ members of the committee appointed from each house" and insert "five of the six members of the committee"

Representatives G. Nelson, Hastings and Prince spoke in favor of the amendments, and Representatives Wang and Moon spoke against them.

Ms. Schmidt demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative G. Nelson to Senate Concurrent Resolution No. 138, and the amendments were not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luvan, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Bond - 1.

Mr. Barrett moved adoption of the following amendment:

On page 7, line 8 strike all language through "house," on line 22 of page 8 and renumber the remaining rules consecutively.

Mr. Barrett spoke in favor of the amendment, and Mr. Wang spoke against it.

The amendment was not adopted.

Mr. Barrett moved adoption of the following amendment:

On page 13, beginning on line 8 strike all language through "Rules." on line 31 of page 14 and renumber the remaining rules consecutively.

Mr. Barrett spoke in favor of the amendment, and Mr. Wang spoke against it.

POINT OF INFORMATION

Ms. Schmidt: "Mr. Speaker, I'm a little confused. I would like to know if Rule 25 will apply prospectively or retrospectively if this is adopted?"

The Speaker: "When they are adopted they will, from that point on, become the rules for the joint body. We haven't had rules in the previous years."

Ms. Schmidt spoke in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representative Wang spoke in favor of the resolution, and Representatives G. Nelson and Van Dyken spoke against it.

ROLL CALL

The Clerk called the roll on adoption of Senate Concurrent Resolution No. 138, and the resolution was adopted by the House by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representative Bond - 1.

Senate Concurrent Resolution No. 138, having received the constitutional majority, was declared adopted.

POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, the lady from the 23rd District asked you, regarding Rule 25, whether that rule was prospective or retrospective. By your ruling, it sounds like it is prospective. That being the case, what was the basis for authority for bills passing out of committee during the interim with a lack of joint rules prior to this moment?"

The Speaker: "The matter is not before us, so the point is moot."

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Wednesday, January 11, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, January, 11, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Broback and Isaacson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Beth Hale and Tony Smart. Prayer was offered by The Reverend Rick Quast, Minister of the Seventh Day Adventist Church of Lacey.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

January, 10, 1984

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3051,
 ENGROSSED SENATE BILL NO. 3117,
 SENATE BILL NO. 3118,
 ENGROSSED SENATE BILL NO. 3119,
 ENGROSSED SENATE BILL NO. 3128,
 ENGROSSED SENATE BILL NO. 3132,
 SUBSTITUTE SENATE BILL NO. 3181,
 REENGROSSED SUBSTITUTE SENATE BILL NO. 3387,
 ENGROSSED SENATE BILL NO. 3437,
 SUBSTITUTE SENATE BILL NO. 3741,
 SUBSTITUTE SENATE BILL NO. 3868,
 SENATE BILL NO. 4018,
 ENGROSSED SENATE BILL NO. 4237,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary..

January, 11, 1984

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 32,
 SENATE CONCURRENT RESOLUTION NO. 138,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary..

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 138.

INTRODUCTIONS AND FIRST READING

HB 1225 by Representatives Sutherland, Heck, Armstrong, L. Smith, Sayan, Fuhrman, Mitchell, J. Williams, Egger, Galloway and Powers

AN ACT Relating to fisheries patrol vessels; and adding a new section to chapter 75.10 RCW.

Referred to Committee on Natural Resources.

HB 1226 by Representatives Fisch, Tanner, Pruitt, Patrick, Miller, Brough, Egger, Halsan, Johnson, Mitchell, McMullen and Todd

AN ACT Relating to elections; adding a new chapter to Title 29 RCW; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 1227 by Representatives Jacobsen, Allen, Charnley, Rust and Belcher

AN ACT Relating to state parks; amending section 3, chapter 271, Laws of 1981 and RCW 43.51.045; and adding new sections to chapter 43.51 RCW.

Referred to Committee on Environmental Affairs.

HB 1228 by Representatives Burns, Prince, Jacobsen, Brough, Silver, McMullen, Powers, Locke, Betrozoff, Ebersole, Miller, L. Smith, Taylor, Todd, B. Williams and Schoon

AN ACT Relating to tuition and fee waivers by institutions of higher education; amending section 7, chapter 54, Laws of 1981 and RCW 28A.58.832; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1229 by Representatives Vekich, Zellinsky, Armstrong, Lux and Wang

AN ACT Relating to unfair practices in insurance; and adding a new section to chapter 48.30 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1230 by Representatives Kreidler, Struthers, Armstrong, Padden, Barrett, Egger, L. Smith and B. Williams (by Office of Financial Management request)

AN ACT Relating to criminal justice information; amending section 1, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.700; amending section 16, chapter 16, Laws of 1983 1st ex. sess. and RCW 68.08.355; amending section 17, chapter 16, Laws of 1983 1st ex. sess. and RCW 68.08.360; adding a new chapter to Title 10 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Judiciary..

HB 1231 by Representatives Belcher, Wilson, Stratton, Sayan, Miller, Locke, Mitchell, Halsan, McClure, Fiske, Vekich, McMullen, Sommers, Sutherland, Haugen, Niemi, Burns and Powers

AN ACT Relating to aquatic lands; amending section 83, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.93.040; amending section 85, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.93.060; amending section 79, chapter 21, Laws of 1982 1st ex. sess. as last amended by section 1, chapter 153, Laws of 1983 and RCW 79.92.110; amending section 9, chapter 167, Laws of 1961 as last amended by section 4, chapter 8, Laws of 1982 2nd ex. sess. and RCW 79.24.580; adding new sections to chapter 79.90 RCW; adding a new section to chapter 79.93 RCW; creating a new section; decodifying RCW 79.96.900; repealing section 1, chapter 93, Laws of 1917 and RCW 53.32.010; repealing section 2, chapter 93, Laws of 1917 and RCW 53.32.020; repealing section 3, chapter 93, Laws of 1917, section 3, chapter 72, Laws of 1979 and RCW 53.32.050; repealing section 5, chapter 93, Laws of 1917 and RCW 53.32.060; repealing section 4, chapter 93, Laws of 1917 and RCW 53.32.070; repealing section 6, chapter 93, Laws of 1917 and RCW 53.32.900; repealing section 72, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.92.040; repealing section 73, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.92.050; repealing section 103, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.94.180; repealing section 104, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.94.190; repealing section 105, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.94.200; and providing an effective date.

Referred to Committee on Natural Resources.

HB 1232 by Representatives Jacobsen, Fuhrman, McMullen, Haugen, Van Dyken, Walk, Rust, Ballard, D. Nelson, Niemi, Belcher, Lux, Barrett, Egger and Todd

AN ACT Relating to organic food; and adding a new chapter to Title 69 RCW.

Referred to Committee on Agriculture.

HB 1233 by Representatives Zellinsky, Pruitt, Braddock, Padden, Schmidt, Jacobsen, Egger, Haugen, Broback, Lux, Ballard, Smitherman, Tanner, Garrett, Dickie, Powers, Scott, Galloway, Crane, West,

Barrett, Belcher, Clayton, Dellwo, Ellis, Ebersole, Fisch, Fisher, Halsan, Johnson, P. King, Long, Miller, Mitchell, Todd and Wang

AN ACT Relating to the filling of vacancies in partisan elective offices; amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070; amending section 29.18.010, chapter 9, Laws of 1965 and RCW 29.18.010; and amending section 29.42.020, chapter 9, Laws of 1965 as amended by section 1, chapter 45, Laws of 1972 ex. sess. and RCW 29.42.020.

Referred to Committee on Constitution, Elections & Ethics.

HB 1234 by Representatives Jacobsen, Tilly, Charnley, Allen, Niemi, Belcher, Pruitt, Zellinsky, Lux, Ballard, Mitchell and Silver

AN ACT Relating to telephone solicitations; and adding a new section to chapter 19.56 RCW.

Referred to Committee on Energy & Utilities.

HB 1235 by Representatives Jacobsen, Fiske, Armstrong, Miller, Burns, Charnley, Zellinsky, Lux and Wang

AN ACT Relating to presale disclosures about telecommunications equipment; and adding a new chapter to Title 19 RCW.

Referred to Committee on Energy & Utilities.

HB 1236 by Representatives Galloway, Barrett, Betrozoff and Holland

AN ACT Relating to nonrenewal of certificated employees contracts during the first two years of employment; and amending section 1, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.072.

Referred to Committee on Education.

HB 1237 by Representatives Jacobsen, Addison and Niemi

AN ACT Relating to revenue and taxation; and amending section 7, chapter 37, Laws of 1974 ex. sess. as last amended by section 9, chapter 196, Laws of 1979 ex. sess. and RCW 35.21.755.

Referred to Committee on Ways & Means.

HB 1238 by Representatives Galloway, Dickie, Holland, J. King, Long, Belcher, Ebersole, Tanner, Sutherland, Heck, Barrett, Dellwo, Fuhrman, L. Smith and Stratton

AN ACT Relating to the schools for the deaf and blind; amending section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020; amending section 72.40.040, chapter 28, Laws of 1959 as last amended by section 68, chapter 80, Laws of 1977 ex. sess. and RCW 72.40.040; amending section 72.40.050, chapter 28, Laws of 1959 as amended by section 249, chapter 141, Laws of 1979 and RCW 72.40.050; amending section 72.40.060, chapter 28, Laws of 1959 as last amended by section 151, chapter 275, Laws of 1975 1st ex. sess. and RCW 72.40.060; amending section 72.40.070, chapter 28, Laws of 1959 as last amended by section 250, chapter 141, Laws of 1979 and RCW 72.40.070; amending section 72.40.080, chapter 28, Laws of 1959 as last amended by section 153, chapter 275, Laws of 1975 1st ex. sess. and RCW 72.40.080; amending section 72.40.100, chapter 28, Laws of 1959 as last amended by section 154, chapter 275, Laws of 1975 1st ex. sess. and RCW 72.40.100; amending section 1, chapter 118, Laws of 1973 and RCW 72.41.010; amending section 2, chapter 118, Laws of 1973 as amended by section 13, chapter 30, Laws of 1982 1st ex. sess. and RCW 72.41.020; amending section 4, chapter 118, Laws of 1973 and RCW 72.41.040; amending section 8, chapter 118, Laws of 1973 and RCW 72.41.080; amending section 1, chapter 96, Laws of 1972 ex. sess. and RCW 72.42.010; amending section 2, chapter 96, Laws of 1972 ex. sess. as amended by section 15, chapter 30, Laws of 1982 1st ex. sess. and RCW 72.42.020; amending section 4, chapter 96, Laws of 1972 ex. sess. as amended by section 1, chapter 42, Laws of 1981 and RCW 72.42.040; amending section 8, chapter 96, Laws of 1972 ex. sess. and RCW 72.42.080; adding new sections to chapter 72.40 RCW; and repealing section 72.40.090, chapter 28, Laws of 1959, section 1, chapter 51, Laws of 1975 and RCW 72.40.090.

Referred to Committee on Education.

HB 1239 by Representatives Smitherman, Ebersole, Zellinsky, Powers, Todd and Wang

AN ACT Relating to water resources; and adding a new chapter to Title 90 RCW.

Referred to Committee on Environmental Affairs.

HB 1240 by Representative Barrett

AN ACT Relating to excise taxation; and amending section 82.08.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.08.010.

Referred to Committee on Ways & Means.

HB 1241 by Representatives Haugen, Wilson and Egger

AN ACT Relating to potable water; and adding new sections to chapter 64.04 RCW.

Referred to Committee on Local Government.

HB 1242 by Representatives Pruitt, Fisch and Wang (by Public Disclosure Commission request)

AN ACT Relating to the public disclosure law; amending section 2, chapter 1, Laws of 1973 as last amended by section 1, chapter 50, Laws of 1979 ex. sess. and RCW 42.17.020; amending section 3, chapter 1, Laws of 1973 as amended by section 2, chapter 313, Laws of 1977 ex. sess. and RCW 42.17.030; amending section 5, chapter 1, Laws of 1973 as amended by section 2, chapter 147, Laws of 1982 and RCW 42.17.050; amending section 6, chapter 1, Laws of 1973 as last amended by section 3, chapter 147, Laws of 1982 and RCW 42.17.060; amending section 7, chapter 1, Laws of 1973 and RCW 42.17.070; amending section 10, chapter 1, Laws of 1973 as last amended by section 9, chapter 147, Laws of 1982 and RCW 42.17.100; amending section 20, chapter 1, Laws of 1973 and RCW 42.17.200; amending section 37, chapter 1, Laws of 1973 as last amended by section 7, chapter 336, Laws of 1977 ex. sess. and RCW 42.17.370; amending section 12, chapter 112, Laws of 1975-76 2nd ex. sess. as amended by section 16, chapter 147, Laws of 1982 and RCW 42.17.395; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 1243 by Representatives Galloway, Betrozoff, Sommers, Long, Rust, Ebersole, Todd, Allen, Dellwo, Ellis, Johnson, P. King, Miller, Powers and Sayan

AN ACT Relating to implementation of educational excellence; amending section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Education.

HB 1244 by Representatives Locke, Armstrong, Allen, McMullen, Tilly, Belcher, Cantu, Wang, Stratton, Lux, Miller, Ballard, Barrett, Clayton, Dellwo, Egger, Fisch, Galloway, Holland, P. King, Long, Mitchell, Powers, Sanders, Silver, L. Smith and Todd

AN ACT Relating to sexual exploitation of children; adding new sections to chapter 9.68A RCW; repealing section 1, chapter 53, Laws of 1980 and RCW 9.68A.010; repealing section 2, chapter 53, Laws of 1980 and RCW 9.68A.020; repealing section 3, chapter 53, Laws of 1980 and RCW 9.68A.030; repealing section 5, chapter 53, Laws of 1980 and RCW 9.68A.900; repealing section 9A.88.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.44.110; and prescribing penalties.

Referred to Committee on Judiciary..

HB 1245 by Representatives Pruitt, Barnes, Long and Schoon (by Public Disclosure Commission request)

AN ACT Relating to reporting of financial affairs; amending section 9, chapter 10, Laws of 1982 as amended by section 27, chapter 161, Laws of 1983 and RCW 42.17.240; amending section 42, chapter 126, Laws of 1979 ex. sess. and RCW 42.17.241; amending section 4, chapter 311, Laws of 1981 and RCW 41.64.030; amending section 2, chapter 1, Laws of 1973 as last amended by section 1, chapter 50, Laws of 1979 ex. sess. and RCW 42.17.020; amending section 18, chapter 1, Laws of 1973 as amended by section 11, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.180; amending section 37, chapter 1, Laws of 1973 as last amended by section 7, chapter 336, Laws of 1977 ex. sess. and RCW

42.17.370; amending section 3, chapter 14, Laws of 1981 and RCW 43.52A.030; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 1246 by Representatives Galloway, P. King and Taylor

AN ACT Relating to improving excellence in education.

Referred to Committee on Rules.

HB 1247 by Representatives Armstrong, Padden, Appelwick, Struthers, Barrett, Brough and Crane

AN ACT Relating to criminal sentencing; amending section 1, chapter 99, Laws of 1937 as amended by section 1, chapter 276, Laws of 1983 and RCW 9.92.150; amending section 31, chapter 137, Laws of 1981 and RCW 9.92.900; amending section 3, chapter 137, Laws of 1981 as last amended by section 9, chapter 164, Laws of 1983 and RCW 9.94A.030; amending section 9, chapter 137, Laws of 1981 and RCW 9.94A.090; amending section 11, chapter 137, Laws of 1981 and RCW 9.94A.110; amending section 12, chapter 137, Laws of 1981 as last amended by section 2, chapter 163, Laws of 1983 and RCW 9.94A.120; amending section 13, chapter 137, Laws of 1981 and RCW 9.94A.130; amending section 15, chapter 137, Laws of 1981 as amended by section 6, chapter 192, Laws of 1982 and RCW 9.94A.150; amending section 19, chapter 137, Laws of 1981 and RCW 9.94A.190; amending section 20, chapter 137, Laws of 1981 and RCW 9.94A.200; amending section 21, chapter 137, Laws of 1981 as amended by section 7, chapter 192, Laws of 1982 and RCW 9.94A.210; amending section 22, chapter 137, Laws of 1981 and RCW 9.94A.220; amending section 2, chapter 207, Laws of 1982 and RCW 9.94A.270; amending section 2, chapter 115, Laws of 1983 and RCW 9.94A.310; amending section 3, chapter 115, Laws of 1983 and RCW 9.94A.320; amending section 4, chapter 115, Laws of 1983 and RCW 9.94A.330; amending section 7, chapter 115, Laws of 1983 and RCW 9.94A.360; amending section 8, chapter 115, Laws of 1983 and RCW 9.94A.370; amending section 9, chapter 115, Laws of 1983 and RCW 9.94A.380; amending section 10, chapter 115, Laws of 1983 and RCW 9.94A.390; amending section 11, chapter 115, Laws of 1983 and RCW 9.94A.400; amending section 12, chapter 115, Laws of 1983 and RCW 9.94A.410; amending section 71.06.010, chapter 25, Laws of 1959 as last amended by section 42, chapter 80, Laws of 1977 ex. sess. and RCW 71.06.010; amending section 71.06.260, chapter 25, Laws of 1959 as amended by section 132, chapter 141, Laws of 1979 and RCW 71.06.260; amending section 2, chapter 17, Laws of 1967 as last amended by section 1, chapter 160, Laws of 1979 ex. sess. and RCW 72.65.020; amending section 3, chapter 17, Laws of 1967 as amended by section 276, chapter 141, Laws of 1979 and RCW 72.65.030; amending section 4, chapter 17, Laws of 1967 as amended by section 277, chapter 141, Laws of 1979 and RCW 72.65.040; amending section 38, chapter 138, Laws of 1981 (uncodified); adding new sections to chapter 9.94A RCW; adding a new section to chapter 71.06 RCW; prescribing penalties; declaring an emergency; and providing effective dates.

Referred to Committee on Judiciary..

HB 1248 by Representatives Vekich, Hankins, Niemi and J. Williams

AN ACT Relating to discipline of state patrol officers; amending section 43.43.060, chapter 8, Laws of 1965 and RCW 43.43.060; amending section 43.43.070, chapter 8, Laws of 1965 and RCW 43.43.070; amending section 43.43.090, chapter 8, Laws of 1965 and RCW 43.43.090; amending section 43.43.100, chapter 8, Laws of 1965 and RCW 43.43.100; amending 43.43.360, chapter 8, Laws of 1965 and RCW 43.43.360; amending section 6, chapter 67, Laws of 1981 as amended by section 2, chapter 189, Laws of 1982 and RCW 34.12.060; amending section 15, chapter 234, Laws of 1959 as last amended by section 6, chapter 221, Laws of 1982 and RCW 34.04.150; and adding a new section to chapter 34.12 RCW.

Referred to Committee on State Government.

HB 1249 by Representative Galloway

AN ACT Relating to bilingual education.

Referred to Committee on Rules.

HB 1250 by Representatives Belcher, Rust, Locke, Allen, Wang, Jacobsen, Charnley, Vander Stoep, Sayan, Galloway, Burns, Lux, Halsan and Powers

AN ACT Relating to the Nisqually river system; creating new sections; and making an appropriation.

Referred to Committee on Environmental Affairs.

HB 1251 by Representatives Walk, Johnson, Kaiser and Ebersole

AN ACT Relating to student attendance in grading policies; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

HB 1252 by Representatives Sayan, Fiske, Smitherman, Sutherland, Betrozoff, Kreidler, Powers, Egger, L. Smith and B. Williams

AN ACT Relating to wildlife; and amending section 77.12.270, chapter 36, Laws of 1955 as last amended by section 45, chapter 78, Laws of 1980 and RCW 77.12.270.

Referred to Committee on Natural Resources.

HB 1253 by Representatives Belcher, Allen, Jacobsen, Sayan, Niemi, Sutherland, Galloway, Locke, Heck, Powers, Lux and Ebersole

AN ACT Relating to state government; adding new sections to chapter 41.06 RCW; adding new sections to chapter 28B.16 RCW; and adding a new section to chapter 34.04 RCW.

Referred to Committee on State Government.

HB 1254 by Representatives Monohon, Barnes, Ebersole, Powers, Todd and Sayan

AN ACT Relating to part-time teachers' retirement; and amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010.

Referred to Committee on Ways & Means.

HB 1255 by Representative Galloway

AN ACT Relating to education.

Referred to Committee on Rules.

HB 1256 by Representative Galloway

AN ACT Relating to special education.

Referred to Committee on Rules.

HB 1257 by Representatives Wang, B. Williams, Stratton, Patrick, Ebersole, Halsan and Johnson

AN ACT Relating to county, municipal, and political subdivision employees; and amending section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 82, Laws of 1974 ex. sess. and RCW 41.04.180.

Referred to Committee on Ways & Means.

HB 1258 by Representatives Ebersole, Walk, Smitherman, Broback, Monohon, Fuhrman, Johnson, Long, Powers, Sanders, Todd, Wang, Sayan and Schoon

AN ACT Relating to veterans; amending section 1, page 208, Laws of 1888 as last amended by section 1, chapter 295, Laws of 1983 and RCW 73.08.010; amending section 5, page 209, Laws of 1888 as last amended by section 4, chapter 295, Laws of 1983 and RCW 73.08.060; amending section 6, page 209, Laws of 1888 as last amended by section 5, chapter 295, Laws of 1983 and RCW 73.08.070; and amending section 7, page 210, Laws of 1888 as last amended by section 6, chapter 295, Laws of 1983 and RCW 73.08.080.

Referred to Committee on State Government.

HB 1259 by Representatives Grimm, Walk and Todd

AN ACT Relating to mobile home landlords and tenants; amending section 8, chapter 279, Laws of 1977 ex. sess. as last amended by section 21, chapter 304, Laws of 1981 and RCW 59.20.080; amending section 9, chapter 279, Laws of 1977 ex. sess. as last amended by section 2, chapter 152, Laws of 1980 and RCW 59.20.090; and amending section 10, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.150.

Referred to Committee on Local Government.

- HCR 33 by Representatives Fisch, Belcher, Sayan, Jacobsen, Heck, Niemi and Powers
Urging the state institute for public policy to maximize the use of state employees in performing its research.
Referred to Committee on State Government.
- HCR 34 by Representatives Belcher, Hine, Patrick, Brough, Betrozoff, Crane, Halsan, Long, Miller, McMullen, Powers, Todd, Wang, Galloway, Schoon and Holland
Establishing a legislative committee to study the implementation of comparable worth.
Referred to Committee on Rules.
- 2nd SSB 3051 by Committee on Agriculture (originally sponsored by Senators Hansen and Barr)
Modifying the laws governing transportation or confining animals.
Referred to Committee on Agriculture.
- ESB 3117 by Senators Thompson, Zimmerman and Bauer
Regulating substances containing toxic vapors or fumes.
Referred to Committee on Judiciary.
- SB 3118 by Senators Talmadge, Newhouse and Vognild
Modifying provisions relating to workers' compensation.
Referred to Committee on Labor.
- ESB 3119 by Senators Thompson, Zimmerman and Bauer
Including theft and fraud by a minor child within the parent's civil liability.
Referred to Committee on Judiciary.
- ESB 3128 by Senators Talmadge, Hemstad and Hughes
Modifying conditions under which attorneys fees and costs may be awarded in condemnation proceedings.
Referred to Committee on Judiciary.
- ESB 3132 by Senators Talmadge and Hemstad
Providing for damages and attorney fees when mortgagees fail to release mortgage upon satisfaction.
Referred to Committee on Judiciary.
- SSB 3181 by Committee on Judiciary. (originally sponsored by Senators Talmadge, Hemstad, Hughes and Pullen)
Modifying provisions relating to involuntary treatment.
Referred to Committee on Judiciary.
- ReESSB 3387 by Committee on Judiciary. (originally sponsored by Senators Moore, Jones, Goltz, Shinpoch and Talmadge)
Penalizing interference with the lawful custody of a child.
Referred to Committee on Judiciary.
- ESB 3437 by Senators Talmadge and Patterson
Modifying provisions relating to malicious prosecution.
Referred to Committee on Judiciary.

SSB 3741 by Committee on Financial Institutions (originally sponsored by Senators Moore, Haley and McManus)

Modifying provisions relating to health insurance.

Referred to Committee on Financial Institutions & Insurance.

SSB 3868 by Committee on Agriculture (originally sponsored by Senator Hansen)

Expanding the authority of irrigation districts.

Referred to Committee on Agriculture.

SB 4018 by Senator Moore

Altering provisions relating to credit life insurance.

Referred to Committee on Financial Institutions & Insurance.

ESB 4237 by Senators Gaspard, Kiskaddon and Bauer (by Superintendent of Public Instruction request)

Providing for drug and alcohol abuse education.

Referred to Committee on Education.

MOTIONS

On motion of Mr. Heck, the bills and resolutions listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 392, by Representatives Ebersole, Smitherman and Fisher

Modifying the hearing procedures for the formation of local improvement districts.

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

Representatives Ebersole and Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 392, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Cantu, Lux, Tanner, Vander Stoep - 4.

Excused: Representatives Broback, Isaacson - 2.

Engrossed House Bill No. 392, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 217, by Representatives Moon and Gallagher

Modifying provisions on liens on public works.

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

Representatives Moon and Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 217, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Cantu, Tanner, Vander Stoep - 3.

Excused: Representatives Broback, Isaacson - 2.

House Bill No. 217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 939, by Representatives Appelwick and Hine

Modifying modification and enforcement procedures used by municipalities regarding uninhabitable dwellings.

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

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 939, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Tanner, Vander Stoep - 2.

Excused: Representatives Broback, Isaacson - 2.

House Bill No. 939, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 685, by Committee on Environmental Affairs (originally sponsored by Representatives Van Dyken and Moon)

Revising local government procedures concerning shoreline management.

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

Mr. Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 685 and the bill passed the House by the following vote: Yeas, 92; nays, 2; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Charnley, Clayton - 2.

Absent: Representatives Tanner, Vander Stoep - 2.

Excused: Representatives Broback, Isaacson - 2.

Engrossed Substitute House Bill No. 685, having received the 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 Mr. Heck, HOUSE BILL NO. 122 was rereferred to Committee on Rules.

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 823, by Representative Grimm

Modifying provisions relating to claims against the state.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 823 was substituted for House Bill No. 823 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 823 was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 1017, by Committee on Education (originally sponsored by Representative Galloway)

Changing the axle requirements for school buses.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 145, by Representatives Galloway, P. King, Dickie, Schoon, Struthers and Holland (by Superintendent of Public Instruction request)

Revising certain laws regulating common schools.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 145 was substituted for House Bill No. 145 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 145 was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 71, by Committee on Ways & Means (originally sponsored by Representatives D. Nelson, Isaacson, Sutherland, Long, Gallagher and Allen)

Making the geothermal account not subject to appropriation.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 30, by Representatives D. Nelson and Isaacson

Petitioning Congress to designate the Hanford Reservation as a National Energy Center.

The memorial was read the second time and passed to Committee on Rules for third reading.

ENGROSSED HOUSE BILL NO. 706, by Representatives Todd, Miller, Tilly, Lux, Isaacson, Garrett, Brough, Crane, McDonald, Walk, Taylor, Holland and Barrett

Requiring notice of taxes due on real property before assessing penalties for delinquent taxes.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 1983 Regular Session, page 735.)

On motion of Mr. Moon, the committee amendments were adopted.

On motion of Mr. Todd, the following amendments were adopted:

On page 1, line 7 after "are" strike "imposed" and insert "levied"

On page 1, line 11 after "are" strike "imposed" and insert "levied"

On page 1, line 14 after "error" strike "of the county treasurer" and insert "by the county"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 29, by Committee on Education (originally sponsored by Representatives Haugen, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charnley, Brekke, Taylor, Rust, Powers and Johnson)

Removing forty percent validation requirement for excess levy elections.

The resolution was read the second time. On motion of Ms. Galloway, Second Substitute House Joint Resolution No. 29 was substituted for Substitute House Joint Resolution No. 29, and the second substitute resolution was placed on the calendar for second reading.

Second Substitute House Joint Resolution No. 29 was read the second time.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 22 strike subsections (a) and (b) and insert:

"(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors voting on the proposition to levy when the number of electors thereof voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election: PROVIDED, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting ~~((on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at))~~ 'yes' on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election: PROVIDED, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein: AND PROVIDED FURTHER, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

Mr. Barnes spoke in favor of the amendment, and Ms. Galloway spoke against it.

The amendment was not adopted.

Mr. Addison moved adoption of the following amendments:

On page 2, strike lines 9 through 13 and insert "general election: PROVIDED, That the proposition may be submitted for the approval of sixty percent of the electors at any general election: PROVIDED FURTHER, That"

On page 2, strike lines 32 through 36 and insert:

"That the proposition may be submitted for the approval of sixty percent of the electors at any general election; PROVIDED FURTHER, That any such taxing district shall have"

Mr. Addison spoke in favor of the amendments, and Representatives Galloway and Taylor spoke against them.

Mr. Addison spoke again in favor of the amendments.

The amendments were not adopted.

The resolution was passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. Heck, the House advanced to the eighth order of business.

Mr. Heck moved that HOUSE BILL NO. 1111 be rereferred from Committee on Agriculture to Committee on Environmental Affairs.

Mr. C. Smith spoke against the motion, and Mr. Heck spoke in favor of it.

Ms. Schmidt demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 1111 to Committee on Environmental Affairs, and the motion was carried by the following vote: Yeas, 59; nays, 37; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Johnson, Lewis, Mitchell, Nealey, Nelson G, Padden, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 37.

Excused: Representatives Broback, Isaacson - 2.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Thursday, January 12, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FOURTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, January 12, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brekke, Broback, Haugen, Lewis, Prince, Vekich and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rick Valentine and Kelly McGowen. Prayer was offered by Sister Joyce M. Cox, member of the Order of Sister of Charity and Principal of Bellarmine High School in Tacoma.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

VISIT OF LAKEFAIR QUEEN

The Speaker recognized within the House, Olympia Lakefair Queen, Cecilia Carlson, and appointed Representatives Kreidler, Halsan and Vander Stoep to escort her to the rostrum.

Queen Cecilia briefly addressed the House and the Speaker instructed the committee to escort her from the House Chamber.

MESSAGE FROM THE SENATE

January 11, 1984

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3045,

SENATE BILL NO. 3379,

SUBSTITUTE SENATE BILL NO. 3984,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

HB 1260 by Representatives Powers, Taylor, Haugen, Schoon, Ballard, Patrick, L. Smith, Struthers, Egger, Stratton, Brough, Ebersole, Schmidt, Halsan and Todd (by Governor Spellman request)

AN ACT Relating to drivers' licenses; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 17, chapter 165, Laws of 1983 and RCW 46.20.311; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 18, chapter 165, Laws of 1983 and RCW 46.20.311; and adding new sections to chapter 121, Laws of 1965 ex. sess. and to chapter 46.20 RCW.

Referred to Committee on Judiciary.

HB 1261 by Representatives Galloway, Dickie, Todd, Taylor, Struthers, Wilson, Mitchell, Sanders, West, Sayan, McMullen, Barnes, Barrett, Holland, Johnson, Hastings, P. King, Brough, Miller, Clayton, Betrozoff, B. Williams, Schmidt and Long (by Governor Spellman request)

AN ACT Relating to education; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 173, Laws of 1979 ex. sess. and RCW 28A.04.120; amending section 28A.05.010, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 71, Laws of 1969 and RCW 28A.05.010; amending section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; amending section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140; amending section 2, chapter 54, Laws of 1981 and RCW 28A.58.822; amending section 4, chapter 54, Laws of 1981 and RCW 28A.58.826; amending section 5, chapter 54, Laws of 1981 and RCW 28A.58.828; amending section 6, chapter 54, Laws of 1981 and RCW 28A.58.830; amending section 22, chapter 34, Laws of 1969 ex. sess. as last amended by section 3, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.065; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section

2. chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.005; amending section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.16 RCW; adding a new section to chapter 28C.04 RCW; creating new sections; repealing section 7, chapter 359, Laws of 1977 ex. sess., section 1, chapter 24, Laws of 1982 1st ex. sess. and RCW 28A.41.162; making appropriations; and declaring an emergency.

Referred to Committee on Education.

HB 1262 by Representatives Niemi, Silver, Ellis, Sanders, Johnson, O'Brien, P. King, Lewis and Tanner (by Governor Spellman request)

AN ACT Relating to industrial development; amending section 1, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.010; amending section 2, chapter 40, Laws of 1982 1st ex. sess. as amended by section 1, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.020; amending section 8, chapter 40, Laws of 1982 1st ex. sess. as amended by section 6, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.080; adding a new section to chapter 39.84 RCW; adding new sections to chapter 43.160 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1263 by Representatives McMullen, Miller, Niemi, Johnson, Tilly, Chandler, Silver, Van Luvan, Ballard, Barnes, Dellwo, Garrett, Isaacson, Struthers, Taylor, Wilson, Egger, P. King, Lewis, Jacobsen, Schmidt, Long and Schoon (by Governor Spellman request)

AN ACT Relating to salaries of state officials; amending section 1, chapter 144, Laws of 1953 as last amended by section 4, chapter 255, Laws of 1979 ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 5, chapter 255, Laws of 1979 ex. sess. and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 6, chapter 255, Laws of 1979 ex. sess. and RCW 2.08.090; amending section 6, chapter 1, Laws of 1980 and RCW 43.135.060; making an appropriation; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1264 by Representatives Rust, Patrick, Fisher, Van Dyken, O'Brien, Wang, McMullen, Barnes, Charnley, P. King, Lewis, Brough, Miller, D. Nelson, Lux, Todd and Tanner (by Governor Spellman request)

AN ACT Relating to pollution; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Environmental Affairs.

HB 1265 by Representatives Niemi, Ballard, Vekich, L. Smith and B. Williams (by Governor Spellman request)

AN ACT Relating to emergency management; amending section 1, chapter 6, Laws of 1972 ex. sess. and RCW 38.52.005; amending section 3, chapter 178, Laws of 1951 as last amended by section 1, chapter 268, Laws of 1979 ex. sess. and RCW 38.52.010; amending section 2, chapter 178, Laws of 1951 as last amended by section 2, chapter 268, Laws of 1979 ex. sess. and RCW 38.52.020; amending section 4, chapter 178, Laws of 1951 as last amended by section 3, chapter 113, Laws of 1975 1st ex. sess. and RCW 38.52.030; amending section 5, chapter 178, Laws of 1951 as last amended by section 8, chapter 57, Laws of 1979 ex. sess. and RCW 38.52.040; amending section 6, chapter 178, Laws of 1951 as amended by section 7, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.050; amending section 8, chapter 178, Laws of 1951 as amended by section 9, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.070; amending section 9, chapter 178, Laws of 1951 as amended by section 10, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.080; amending section 10, chapter 178, Laws of 1951 as amended by section 11, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.090; amending section 12, chapter 178, Laws of 1951 as amended by section 12, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.100; amending section 13, chapter 178, Laws of 1951 as last amended by section 13, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.110; amending section 14, chapter 178, Laws of 1951 as amended by section 14, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.120; amending section 16, chapter 178, Laws of 1951 as amended by section 16, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.140; amending section 18, chapter 178, Laws of 1951 as amended by section 17, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.150; amending section 19,

chapter 178, Laws of 1951 as amended by section 18, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.160; amending section 20, chapter 178, Laws of 1951 as amended by section 19, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.170; amending section 11, chapter 178, Laws of 1951 as last amended by section 20, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.180; amending section 3, chapter 223, Laws of 1953 as amended by section 21, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.190; amending section 7, chapter 8, Laws of 1971 ex. sess. as amended by section 22, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.195; amending section 9, chapter 223, Laws of 1953 as amended by section 23, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.200; amending section 4, chapter 8, Laws of 1971 ex. sess. as last amended by section 43, chapter 151, Laws of 1979 and RCW 38.52.205; amending section 5, chapter 8, Laws of 1971 ex. sess. as amended by section 25, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.207; amending section 4, chapter 223, Laws of 1953 as last amended by section 6, chapter 213, Laws of 1981 and RCW 38.52.210; amending section 5, chapter 223, Laws of 1953 as amended by section 3, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.220; amending section 7, chapter 223, Laws of 1953 as amended by section 27, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.240; amending section 8, chapter 223, Laws of 1953 as amended by section 28, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.250; amending section 10, chapter 223, Laws of 1953 as amended by section 29, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.260; amending section 11, chapter 223, Laws of 1953 as amended by section 30, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.270; amending section 12, chapter 223, Laws of 1953 as amended by section 31, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.280; amending section 13, chapter 223, Laws of 1953 as last amended by section 32, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.290; amending section 14, chapter 223, Laws of 1953 as amended by section 59, chapter 154, Laws of 1973 1st ex. sess. and RCW 38.52.300; amending section 15, chapter 223, Laws of 1953 as amended by section 33, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.310; amending section 16, chapter 223, Laws of 1953 as amended by section 34, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.320; amending section 17, chapter 223, Laws of 1953 as last amended by section 3, chapter 268, Laws of 1979 ex. sess. and RCW 38.52.330; amending section 18, chapter 223, Laws of 1953 as amended by section 36, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.340; amending section 19, chapter 223, Laws of 1953 as amended by section 37, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.350; amending section 20, chapter 223, Laws of 1953 as amended by section 38, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.360; amending section 21, chapter 223, Laws of 1953 as amended by section 39, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.370; amending section 22, chapter 223, Laws of 1953 as amended by section 40, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.380; amending section 6, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.390; amending section 4, chapter 268, Laws of 1979 ex. sess. and RCW 38.52.400; amending section 5, chapter 268, Laws of 1979 ex. sess. and RCW 38.52.410; amending section 1, chapter 178, Laws of 1951 as amended by section 41, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.900; repealing section 2, chapter 6, Laws of 1972 ex. sess. and RCW 38.52-.006; repealing section 7, chapter 178, Laws of 1951, section 8, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.060; repealing section 15, chapter 178, Laws of 1951, section 2, chapter 145, Laws of 1953, section 15, chapter 171, Laws of 1974 ex. sess. and RCW 38.52-.130; repealing section 4, chapter 223, Laws of 1982 and RCW 43.131.251; and repealing section 8, chapter 223, Laws of 1982 and RCW 43.131.252.

Referred to Committee on State Government.

HB 1266 by Representatives Kreidler, Van Dyken, Van Luven, Braddock, Belcher, Miller, Allen, Lewis, Long, Patrick, Vander Stoep, Zellinsky, Fisher, Powers, Sanders, McMullen, Barrett, Dellwo, O'Brien, Struthers, Taylor, Wang, Hastings, P. King, Fuhrman, Mitchell, Ebersole, Betrozoff, Schmidt, Halsan, Todd, Tanner and Schoon (by Secretary of State and by Department of Veterans Affairs request)

AN ACT Relating to a veterans' memorial; adding new sections to chapter 40.14 RCW; and making an appropriation.

Referred to Committee on State Government.

HB 1267 by Representatives Grimm, Cantu and Sommers (by Governor Spellman request)

AN ACT Relating to excise taxation; and amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 59, chapter 3, Laws of 1983 2nd ex. sess. and RCW 84.33.071.

Referred to Committee on Ways & Means.

HB 1268 by Representatives Hine, Holland, Tanner, Schoon, Barnes, Sayan, Johnson, Wang, Miller, Galloway and Todd (by Governor Spellman and by Superintendent of Public Instruction request)

AN ACT Relating to general obligation bonds for common school plant facilities; adding new sections to chapter 28A.47 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1269 by Representatives Schoon, Sanders, Johnson, Barnes, Betzoff, Fuhrman, Broback, Ballard, Isaacson, Struthers, Taylor, Egger, C. Smith, Miller, Clayton, B. Williams, Long and Tanner (by Governor Spellman request)

AN ACT Relating to economic development; amending section 2, chapter 40, Laws of 1982 1st ex. sess. as amended by section 1, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.020; amending section 8, chapter 40, Laws of 1982 1st ex. sess. as amended by section 6, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.080; amending section 32, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.320; amending section 11, chapter 117, Laws of 1972 ex. sess. as amended by section 5, chapter 76, Laws of 1981 and RCW 43.31A.110; amending section 16, chapter 117, Laws of 1972 ex. sess. as amended by section 1, chapter 6, Laws of 1982 2nd ex. sess. and RCW 43.31A.160; amending section 2, chapter 6, Laws of 1982 2nd ex. sess. (uncodified); amending section 4, chapter 76, Laws of 1981 and RCW 43.31A.400; amending section 10, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.900; adding new sections to chapter 43.160 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1270 by Representatives Todd, Crane, Schoon, Dellwo, Brough, Hine, Armstrong, Ebersole, Ellis, Heck, Garrett, Walk, R. King, Sayan, Appelwick, Charnley, Powers, Tanner, Belcher, Galloway, Haugen, McMullen, Barnes, Patrick, Locke, D. Nelson and Grimm

AN ACT Relating to mobile home landlords and tenants; amending section 6, chapter 279, Laws of 1977 ex. sess. as last amended by section 18, chapter 304, Laws of 1981 and RCW 59.20.060; amending section 7, chapter 279, Laws of 1977 ex. sess. as last amended by section 19, chapter 304, Laws of 1981 and RCW 59.20.070; amending section 6, chapter 152, Laws of 1980 and RCW 59.20.075; amending section 8, chapter 279, Laws of 1977 ex. sess. as last amended by section 21, chapter 304, Laws of 1981 and RCW 59.20.080; amending section 8, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.130; amending section 13, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.180; amending section 11, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.160; adding new sections to chapter 59.20 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1271 by Representatives Kreidler, Fiske, Dellwo, Ballard, Long, Van Dyken, Isaacson, Taylor, Powers, West, Silver, Barrett, Wilson, Egger, Lewis, Stratton, Mitchell, Miller and Addison (by Governor Spellman request)

AN ACT Relating to respite care services for elderly and functionally disabled adults; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 1272 by Representatives Rust, Allen, Fisher, Patrick, and Todd (by Governor Spellman request)

AN ACT Relating to air pollution; adding a new section to chapter 43.21A RCW; adding a new section to chapter 70.94 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 1273 by Representatives Grimm, B. Williams, Patrick, Barnes and Isaacson (by Governor Spellman request)

AN ACT Relating to state fiscal matters; amending section 3, chapter 280, Laws of 1981 as amended by section 2, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.530; and adding new sections to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 1274 by Representatives Appelwick, Tanner, Jacobsen and Crane

AN ACT Relating to architect liens; and amending section 1, chapter 24, Laws of 1893 as last amended by section 3, chapter 34, Laws of 1975 and RCW 60.04.010.

Referred to Committee on Commerce & Economic Development.

HB 1275 by Representatives Niemi, Burns, D. Nelson, Armstrong, Sommers and Brekke

AN ACT Relating to real estate excise taxation; amending section 1, chapter 266, Laws of 1979 ex. sess. and RCW 82.45.032; amending section 28A.45.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 154, Laws of 1980 and RCW 82.45.090; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1276 by Representatives Galloway, Powers, Sayan and P. King

AN ACT Relating to nursery school care and before-and-after-school care programs for children by school districts; amending section 28A.34.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.34.010; repealing section 28A.34.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.34.020; repealing section 28A.34.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.34.040; and repealing section 28A.34.050, chapter 223, Laws of 1969 ex. sess., section 45, chapter 154, Laws of 1973 1st ex. sess. and RCW 28A.34.050.

Referred to Committee on Education.

HB 1277 by Representatives Galloway, Powers, Holland, Hastings and P. King

AN ACT Relating to a state-wide testing program; amending section 2, chapter 149, Laws of 1979 and RCW 28A.41.402; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; and repealing section 1, chapter 98, Laws of 1975-76 2nd ex. sess. and RCW 28A.03.360.

Referred to Committee on Education.

HB 1278 by Representatives Ballard, Ellis, Smitherman, Tanner, Broback, Johnson, Egger and Schoon

AN ACT Relating to cardiopulmonary resuscitation training for common school students; amending section 3, chapter 359, Laws of 1977 ex. sess. as last amended by section 1, chapter 158, Laws of 1982 and RCW 28A.58.754; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW; and providing an effective date.

Referred to Committee on Education.

HB 1279 by Representatives Niemi, Betrozoff, Belcher, Hankins, Silver, Braddock, Sanders, Holland, O'Brien and G. Nelson

AN ACT Relating to the state trade and convention center; amending section 2, chapter 34, Laws of 1982 as amended by section 2, chapter 1, Laws of 1983 2nd ex. sess. and RCW 67.40.020; and amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 21, chapter 15, Laws of 1983 and RCW 41.06.070.

Referred to Committee on State Government.

HB 1280 by Representatives Appelwick, Silver, Niemi, Barrett, Braddock, Holland, L. Smith, Hastings, Fuhrman, Ebersole, B. Williams, Tanner and Schoon

AN ACT Relating to businesses and professions; amending section 1, chapter 153, Laws of 1965 as last amended by section 42, chapter 158, Laws of 1979 and RCW 18.44.010; amending section 28, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.350; amending section 15, chapter 144, Laws of 1919 as last amended by section 15, chapter 69, Laws of 1975 1st ex. sess. and RCW 18.53.040; amending section 8, chapter 24, Laws of 1977 ex. sess. and RCW 18.85.470; amending section 9, chapter 24, Laws of 1977 ex. sess. and RCW 18.85.480; amending section 2, chapter 168, Laws of 1983 and RCW 18.120.020; amending section 2, chapter 61, Laws of 1981 and RCW 39.80.020; creating a new section; repealing section 26, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.330; repealing section 27, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.340; repealing section 1, chapter 101, Laws of 1980 and RCW 18.55.010; repealing section 2, chapter 101, Laws of 1980 and RCW 18.55.020; repealing section 3, chapter 101, Laws of 1980 and RCW 18.55.030; repealing section 4, chapter 101, Laws of 1980 and RCW 18.55.040; repealing section 7, chapter 101, Laws of 1980 and RCW 18.55.050; repealing section 5, chapter 101, Laws of 1980 and RCW 18.55.060; repealing section 6, chapter 101, Laws of 1980 and RCW 18.55.070; repealing

section 8, chapter 101, Laws of 1980 and RCW 18.55.080; repealing section 9, chapter 101, Laws of 1980 and RCW 18.55.090; repealing section 10, chapter 101, Laws of 1980 and RCW 18.55.100; repealing section 11, chapter 101, Laws of 1980 and RCW 18.55.900; repealing section 42, chapter 52, Laws of 1957, section 17, chapter 139, Laws of 1972 ex. sess., section 5, chapter 24, Laws of 1977 ex. sess. and RCW 18.85.190; repealing section 43, chapter 52, Laws of 1957 section 17, chapter 266, Laws of 1971 ex. sess. and RCW 18.85.200; repealing section 6, chapter 24, Laws of 1977 ex. sess. and RCW 18.85.450; repealing section 7, chapter 24, Laws of 1977 ex. sess. and RCW 18.85.460; repealing section 1, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.010; repealing section 2, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.020; repealing section 3, chapter 158, Laws of 1969 ex. sess., section 73, chapter 158, Laws of 1979 and RCW 18.96.030; repealing section 4, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.040; repealing section 5, chapter 158, Laws of 1969 ex. sess., section 54, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.96.050; repealing section 6, Laws of 1979 and RCW 18.44.010.; Laws of 1969 ex. sess. and RCW 18.96.060; repealing section 7, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.070; repealing section 8, chapter 158, Laws of 1969 ex. sess., section 85, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.080; repealing section 9, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.090; repealing section 10, chapter 158, Laws of 1969 ex. sess., section 86, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.100; repealing section 11, chapter 158, Laws of 1969 ex. sess., section 87, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.110; repealing section 12, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.120; repealing section 13, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.130; repealing section 14, chapter 158, Laws of 1969 ex. sess., section 88, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.140; repealing section 15, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.150; repealing section 16, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.160; repealing section 17, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.170; repealing section 18, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.180; repealing section 19, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.900; repealing section 6, chapter 197, Laws of 1983 and RCW 43.131.265; repealing section 32, chapter 197, Laws of 1983 and RCW 43.131.266; repealing section 1, chapter 280, Laws of 1975 1st ex. sess., section 74, chapter 158, Laws of 1979 and RCW 18.108.010; repealing section 2, chapter 280, Laws of 1975 1st ex. sess., section 57, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.108.020; repealing section 3, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.030; repealing section 4, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.040; repealing section 5, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.050; repealing section 6, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.060; repealing section 7, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.070; repealing section 9, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.080; repealing section 10, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.090; repealing section 11, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.100; repealing section 12, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.110; repealing section 13, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.120; repealing section 14, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.130; repealing section 15, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.140; repealing section 16, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.150; repealing section 17, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.160; repealing section 18, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.170; repealing section 19, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.180; repealing section 20, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.190; repealing section 21, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.200; repealing section 22, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.210; and repealing section 23, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.900.

Referred to Committee on Commerce & Economic Development.

HB 1281 by Representatives Pruitt, Van Luven, Scott, Johnson, Miller and Long (by Governor Spellman and by Secretary of State request)

AN ACT Relating to vacancy elections for federal offices; amending section 2, chapter 4, Laws of 1973 as last amended by section 4, chapter 144, Laws of 1977 ex. sess. and RCW 29.13.047; amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070; amending section 29.68.080, chapter 9, Laws of 1965 as amended by section 3, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.080; amending section 29.68.100, chapter 9, Laws of 1965 as amended by section 5, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.100; amending section 29.68.120, chapter 9, Laws of 1965 as last amended by section 46, chapter 3, Laws of 1983 and RCW 29.68.120; amending section 29.68.130, chapter 9, Laws of 1965 and RCW 29.68.130; amending section 29.80.010, chapter 9, Laws of 1965 as last amended by section 106, chapter 361, Laws of 1977 ex. sess. and RCW 29.80.010; creating a new section; repealing section 29.68.090, chapter 9, Laws of 1965 as amended by section 4, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.090; and repealing section

29.68.110, chapter 9, Laws of 1965, section 6, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.110.

Referred to Committee on Constitution, Elections & Ethics.

HB 1282 by Representatives Zellinsky, L. Smith, Pruitt, Barnes, Taylor, Tilly, Dellwo, Johnson, Wilson, Ballard, Mitchell, G. Nelson, Ebersole, Miller, Schmidt, Long, Schoon, Todd and Van Dyken (by Governor Spellman and by Secretary of State request)

AN ACT Relating to candidate filings; amending section 29.18.030, chapter 9, Laws of 1965 as last amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030; amending section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050; adding new sections to chapter 29.18 RCW; and creating a new section.

Referred to Committee on Constitution, Elections & Ethics.

HB 1283 by Representatives Grimm, Taylor, Sommers, O'Brien, B. Williams and Schoon (by Governor Spellman request)

AN ACT Relating to fiscal matters; amending section 43.88.120, chapter 8, Laws of 1965 as last amended by section 8, chapter 270, Laws of 1981 and RCW 43.88.120; amending section 3, chapter 26, Laws of 1967 ex. sess. as amended by section 92, chapter 75, Laws of 1977 and RCW 82.01.060; amending section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030; amending section 43.88.110, chapter 8, Laws of 1965 as last amended by section 1, chapter 47, Laws of 1983 1st ex. sess. and RCW 43.88.110; amending section 7, chapter 270, Laws of 1981 as amended by section 2, chapter 15, Laws of 1982 2nd ex. sess. and RCW 43.88.112; amending section 5, chapter 280, Laws of 1981 and RCW 43.88.540; adding new sections to chapter 43.88 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1284 by Representatives Kreidler, Lewis, Dellwo, Allen, Belcher and Vekich

AN ACT Relating to the criminal justice training commission; and amending section 3, chapter 94, Laws of 1974 ex. sess. as last amended by section 3, chapter 132, Laws of 1981 and RCW 43.101.030.

Referred to Committee on Judiciary.

HB 1285 by Representatives Smitherman and B. Williams (by Office of Financial Management request)

AN ACT Relating to state government; amending section 43.88.090, chapter 8, Laws of 1965 as last amended by section 4, chapter 270, Laws of 1981 and RCW 43.88.090; and repealing section 1, chapter 306, Laws of 1983 and RCW 43.17.220.

Referred to Committee on Ways & Means.

HB 1286 by Representatives Galloway, Taylor, Ebersole, Johnson, Barnes, Long, Isaacson, Powers, Barrett, Holland, Egger and Addison (by Governor Spellman request)

AN ACT Relating to education; amending section 2, chapter 149, Laws of 1979 and RCW 28A.41.402; amending section 3, chapter 149, Laws of 1979 and RCW 28A.41.404; amending section 4, chapter 149, Laws of 1979 and RCW 28A.41.406; amending section 6, chapter 149, Laws of 1979 and RCW 28A.41.410; amending section 2, chapter 95, Laws of 1979 and RCW 28A.58.802; amending section 6, chapter 95, Laws of 1979 and RCW 28A.58.810; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; creating new sections; repealing section 7, chapter 149, Laws of 1979, section 2, chapter 163, Laws of 1982 and RCW 28A.41.412; repealing section 8, chapter 149, Laws of 1979 and RCW 28A.41.414; and providing an effective date.

Referred to Committee on Education.

HB 1287 by Representatives Brekke, Mitchell, Tilly, Kreidler, Patrick, Taylor, Long, Johnson, Cantu, Barnes, Betrozoff, Schoon, Van Dyken, Broback, Ballard, Isaacson, Wilson, West, Silver, Barrett, Charnley, Dellwo, Holland, O'Brien, L. Smith, Struthers, Wang, P. King, Brough, Galloway, B. Williams, Schmidt, Todd and Tanner (by Governor Spellman request)

AN ACT Relating to the Washington council for the prevention of child abuse and neglect; amending section 2, chapter 4, Laws of 1982 and RCW 43.121.020; amending section 9, chapter 4, Laws of 1982 and RCW 43.121.090; amending section 10, chapter 4, Laws of 1982 and RCW 43.121.100; amending section 11, chapter 4, Laws of 1982 and RCW 43.121.900; and amending section 36.18.010, chapter 4, Laws of 1963 as last amended by section 7, chapter 15, Laws of 1982 1st ex. sess. and RCW 36.18.010.

Referred to Committee on Social & Health Services.

HB 1288 by Representatives Appelwick, Padden and Crane

AN ACT Relating to costs; and amending section 367, page 201, Laws of 1854 as last amended by section 7, chapter 45, Laws of 1983 1st ex. sess. and RCW 4.84.010.

Referred to Committee on Judiciary.

HB 1289 by Representatives McMullen, Haugen, Wilson, Vekich, Stratton and D. Nelson

AN ACT Relating to salmon fishing violations; and amending section 3, chapter 99, Laws of 1979 ex. sess. as amended by section 44, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.10.130.

Referred to Committee on Natural Resources.

HB 1290 by Representatives Dellwo, Taylor, Garrett, Stratton, Egger, Padden, Sanders, West, Barrett, Walk, Hastings, Fuhrman, Miller and Todd

AN ACT Relating to property taxation; and amending section 2, chapter 155, Laws of 1980 and RCW 84.40.030.

Referred to Committee on Ways & Means.

HB 1291 by Representatives Egger, Padden, McMullen, P. King, Crane, Zellinsky, Sanders and Fuhrman

AN ACT Relating to veterans' organizations; and amending section 1, chapter 64, Laws of 1909 as last amended by section 7, chapter 180, Laws of 1947 and RCW 73.04.080.

Referred to Committee on State Government.

HB 1292 by Representatives Appelwick, Padden and Jacobsen

AN ACT Relating to credits for certain veterans at law schools within the state of Washington; and repealing section 1, chapter 252, Laws of 1947 and RCW 73.04.100.

Referred to Committee on Judiciary.

HB 1293 by Representatives Egger, Holland, Zellinsky, Padden, Taylor, Betrozoff and Long

AN ACT Relating to the nonrenewal of contracts of provisional certificated employees; and amending section 1, chapter 114, Laws of 1975-76 2nd ex. sess. and RCW 28A.67.072.

Referred to Committee on Education.

HB 1294 by Representatives Vekich, Belcher, Sayan, Niemi, Nealey and J. Williams.

AN ACT Relating to state government; and amending section 4, chapter 167, Laws of 1982 and RCW 41.60.120.

Referred to Committee on State Government.

HB 1295 by Representatives Dellwo, Ballard, Fisch, Vander Stoep, Tilly, Charnley, Wang and Miller (by Governor Spellman request)

AN ACT Relating to water resources; requiring a report on dam safety; and adding a new section to chapter 225, Laws of 1971 ex. sess. and to chapter 90.54 RCW.

Referred to Committee on Environmental Affairs.

HB 1296 by Representatives Zellinsky, Smitherman, Schmidt, McMullen, Patrick, Powers, Haugen, J. Williams, Holland, Stratton, Fuhrman, Clayton and Tanner

AN ACT Relating to crimes; and amending section 9A.12.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.12.010.

Referred to Committee on Judiciary.

HB 1297 by Representatives Kreidler and Betzoff

AN ACT Relating to the state centennial commission; amending section 2, chapter 90, Laws of 1982 and RCW 27.60.020; and adding a new section to chapter 27.60 RCW.

Referred to Committee on State Government.

HB 1298 by Representatives Zellinsky, Powers, Jacobsen, Haugen, Fisher, Ebersole and Smitherman

AN ACT Relating to water systems; adding new sections to chapter 43.20A RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 1299 by Representatives Long, Armstrong, Betzoff, Sommers, Silver, Galloway, Patrick, Rust, G. Nelson, Brekke, Brough, Wang, Van Luven, Schmidt, Allen, Grimm, Ballard, Struthers, Miller, Hastings, Vander Stoep, Addison, Barrett, Taylor, Broback, Barnes, Schoon, Johnson, Fuhrman, Dickie, C. Smith, Powers, Sanders, McMullen, Dellwo, Egger, Stratton, Belcher, Locke, Mitchell, Halsan and Todd

AN ACT Relating to motor vehicles; amending section 46.20.130, chapter 12, Laws of 1961 as last amended by section 4, chapter 245, Laws of 1981 and RCW 46.20.130; and amending section 2, chapter 39, Laws of 1963 as last amended by section 195, chapter 158, Laws of 1979 and RCW 46.81.010.

Referred to Committee on Education.

HB 1300 by Representatives Zellinsky, Schmidt, J. Williams and Ebersole

AN ACT Relating to contract interests; and amending section 1, chapter 44, Laws of 1983 1st ex. sess. and RCW 42.23.030.

Referred to Committee on Education.

HB 1301 by Representatives Long, Appelwick, Johnson, Lewis, Silver, Ballard, Sanders, Kreidler, Cantu, Brekke, Patrick, Padden, Miller, Dellwo, Taylor, Ebersole, Fuhrman, Braddock, Betzoff, Hastings, C. Smith and Schoon

AN ACT Relating to copies of vital records; and amending section 43.20.090, chapter 8, Laws of 1965 as last amended by section 11, chapter 16, Laws of 1983 1st ex. sess. and RCW 43.20A.630.

Referred to Committee on State Government.

HB 1302 by Representatives Sutherland, Ellis, Nealey, Dickie, Prince, Barrett, Egger, Lewis, Fuhrman, C. Smith and Clayton

AN ACT Relating to burglary and trespass; and amending section 9A.52.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.010.

Referred to Committee on Agriculture.

HB 1303 by Representatives Braddock, D. Nelson, Jacobsen, Walk, Fisher and Allen

AN ACT Relating to the state building code; amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 8, Laws of 1980 and RCW 19.27.030; and amending section 7, chapter 96, Laws of 1974 ex. sess. as amended by section 59, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.070.

Referred to Committee on State Government.

HB 1304 by Representatives Smitherman, Heck and Barnes

AN ACT Relating to teacher retirement; amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010; and adding a new section to chapter 41.32 RCW.

Referred to Committee on Ways & Means.

HB 1305 by Representatives Kreidler, Belcher, Allen and Wang

AN ACT Relating to migratory waterfowl; amending section 12, chapter 310, Laws of 1981 and RCW 77.32.350; adding a new section to chapter 77.08 RCW; adding new sections to chapter 77.32 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1306 by Representatives Braddock, Fiske, McMullen, Struthers and Clayton

AN ACT Relating to electrical code enforcement; and adding a new section to chapter 19.28 RCW.

Referred to Committee on Local Government.

HB 1307 by Representatives Lux, Jacobsen, Fisher, Van Dyken, Allen, Burns and Todd

AN ACT Relating to hazardous wastes; amending section 10, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.100; amending section 1, chapter 70, Laws of 1983 1st ex. sess. and RCW 70.105.150; and adding new sections to chapter 70.105 RCW.

Referred to Committee on Environmental Affairs.

HB 1308 by Representative Halsan

AN ACT Relating to state government; and adding a new section to chapter 43.41 RCW.

Referred to Committee on State Government.

HB 1309 by Representatives Egger, P. King, Zellinsky, Stratton, Sanders and West

AN ACT Relating to migratory waterfowl; amending section 12, chapter 310, Laws of 1981 and RCW 77.32.350; adding a new section to chapter 77.08 RCW; adding new sections to chapter 77.32 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1310 by Representatives Galloway, Powers and P. King

AN ACT Relating to the evaluation of certificated employees and administrators; and amending section 22, chapter 34, Laws of 1969 ex. sess. as last amended by section 3, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.065.

Referred to Committee on Education.

HB 1311 by Representatives Galloway, Sayan, Charnley, Holland, Tilly, Miller, D. Nelson and Halsan

AN ACT Relating to providing special education and training programs to preschool age children; amending section 28A.13.050, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.050; amending section 2, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.772; and amending section 72.40.040, chapter 28, Laws of 1959 as last amended by section 68, chapter 80, Laws of 1977 ex. sess. and RCW 72.40.040.

Referred to Committee on Education.

HB 1312 by Representatives Galloway, Powers, Barrett, P. King, Fuhrman, Ebersole, Miller, Long, Addison and Schoon

AN ACT Relating to teacher certification; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 173, Laws of 1979 ex. sess. and RCW 28A.04.120; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.005; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW.

Referred to Committee on Education.

HB 1313 by Representatives Galloway and P. King

AN ACT Relating to educational employee training and education; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 173, Laws of 1979 ex. sess. and RCW 28A.04.120; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.005; adding a new section to chapter 223, Laws of 1969 ex. sess. and to

chapter 28A.71 RCW; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW.

Referred to Committee on Education.

HB 1314 by Representatives McClure, Van Luven, Kreidler, Wang, Lewis and D. Nelson (by Governor Spellman request)

AN ACT Relating to community mental health service priorities; and amending section 3, chapter 204, Laws of 1982 and RCW 71.24.025.

Referred to Committee on Social & Health Services.

HB 1315 by Representatives Ballard, Jacobsen, Lux, Tanner, Fuhrman, B. Williams, Miller, Chandler, Broback, Betzoff, Powers, Barrett, Johnson, Struthers, Egger, Lewis, Stratton, Mitchell and Crane

AN ACT Relating to financial responsibility; adding a new section to chapter 46.29 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1316 by Representatives Lux, Addison, Moon, Belcher, Jacobsen, D. Nelson, Ballard, Garrett, Fuhrman, Locke and Hastings

AN ACT Relating to the housing finance commission; and adding a new section to chapter 43.180 RCW.

Referred to Committee on State Government.

HB 1317 by Representatives Sayan, Allen, Ellis, Miller, Walk, Fisher and Smitherman

AN ACT Relating to higher education personnel; and adding a new section to chapter 28B.16 RCW.

Referred to Committee on Labor.

HB 1318 by Representative Barnes

AN ACT Relating to filing vacancies in representation of the state in the United States senate; and amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070.

Referred to Committee on Constitution, Elections & Ethics.

HB 1319 by Representatives Barnes and Hine

AN ACT Relating to aircraft noise abatement; and amending section 2, chapter 121, Laws of 1974 ex. sess. as amended by section 1, chapter 85, Laws of 1979 and RCW 53.54.020.

Referred to Committee on Local Government.

HB 1320 by Representatives Barnes, Haugen, Lewis, Brough, Zellinsky, Sanders, West, Barrett, Holland, Clayton, Schmidt and Schoon

AN ACT Relating to support of dependent children; and amending section 5, chapter 322, Laws of 1959 as last amended by section 20, chapter 201, Laws of 1982 and RCW 74.20.040.

Referred to Committee on Social & Health Services.

HB 1321 by Representatives J. King, Barrett, Ebersole, Taylor, Sutherland, Haugen, Dellwo, West, Struthers, Hastings, Fuhrman, Betzoff and Grimm

AN ACT Relating to convention or trade facilities; repealing section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285; and declaring an emergency.

Referred to Committee on Local Government.

HB 1322 by Representative Appelwick

AN ACT Relating to real estate sales commissions; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Commerce & Economic Development.

HB 1323 by Representatives Appelwick and Charnley

AN ACT Relating to jurors; amending section 185, page 164, Laws of 1854 as last amended by section 3, chapter 57, Laws of 1972 ex. sess. and RCW 4.44.120; and amending section 194, page 166, Laws of 1854 as last amended by section 229, Code of 1881 and RCW 4.44.300.

Referred to Committee on Environmental Affairs.

HB 1324 by Representative Appelwick

AN ACT Relating to real estate agents; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Commerce & Economic Development.

HB 1325 by Representatives Appelwick, Dellwo and Burns

AN ACT Relating to the collection of property taxes; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020; amending section 5, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.380; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1326 by Representatives Vekich, Belcher, Sayan, Niemi, Nealey and J. Williams

AN ACT Relating to the employee suggestion program; and amending section 9, chapter 167, Laws of 1982 and RCW 41.60.041.

Referred to Committee on State Government.

HB 1327 by Representatives Niemi, Silver and Garrett (by Governor Spellman request)

AN ACT Relating to the planning and community affairs agency; amending section 3, chapter 74, Laws of 1967 and RCW 43.63A.030; amending section 2, chapter 74, Laws of 1967 and RCW 43.63A.020; amending section 4, chapter 74, Laws of 1967 as amended by section 10, chapter 40, Laws of 1975 and RCW 43.63A.040; amending section 6, chapter 74, Laws of 1967 and RCW 43.63A.060; amending section 10, chapter 74, Laws of 1967 and RCW 43.63A.100; amending section 2, chapter 269, Laws of 1981 and RCW 43.63A.190; amending section 1, chapter 10, Laws of 1979 as amended by section 61, chapter 136, Laws of 1981 and RCW 43.17.010; amending section 2, chapter 10, Laws of 1979 as amended by section 62, chapter 136, Laws of 1981 and RCW 43.17.020; amending section 9, chapter 10, Laws of 1982 as amended by section 27, chapter 161, Laws of 1983 and RCW 42.17.240; amending section 7, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.080; amending section 2, chapter 19, Laws of 1977 ex. sess. as amended by section 149, chapter 151, Laws of 1979 and RCW 43.132.020; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 21, chapter 99, Laws of 1979 and RCW 43.131.189; amending section 63, chapter 99, Laws of 1979 and RCW 43.131.190; adding new sections to chapter 43.63A RCW; creating new sections; repealing section 43.31.200, chapter 8, Laws of 1965, section 42, chapter 171, Laws of 1974 ex. sess. and RCW 43.31.200; repealing section 43.31.210, chapter 8, Laws of 1965 and RCW 43.31.210; repealing section 43.31.220, chapter 8, Laws of 1965 and RCW 43.31.220; repealing section 43.31.230, chapter 8, Laws of 1965 and RCW 43.31.230; repealing section 1, chapter 74, Laws of 1967 and RCW 43.63A.010; repealing section 7, chapter 74, Laws of 1967, section 28, chapter 151, Laws of 1977 ex. sess., section 132, chapter 151, Laws of 1979 and RCW 43.63A.070; repealing section 8, chapter 74, Laws of 1967, section 63, chapter 75, Laws of 1977 and RCW 43.63A.080; repealing section 11, chapter 74, Laws of 1967 and RCW 43.63A.110; repealing section 28, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.270; declaring an emergency; and providing an effective date.

Referred to Committee on State Government.

HB 1328 by Representatives Kreidler, Barrett, L. Smith, Wang, Egger, Stratton and Mitchell

AN ACT Relating to the abuse of elderly or dependent persons; amending section 1, chapter 13, Laws of 1965 as last amended by section 24, chapter 80, Laws of 1977 ex. sess. and RCW 26.44.010; amending section 2, chapter 13, Laws of 1965 as last amended by section 6, chapter 129, Laws of 1982 and RCW 26.44.020; amending section 3, chapter 13, Laws of 1965 as last amended by section 7, chapter 129, Laws of 1982 and RCW 26.44.030; amending section 4, chapter 13, Laws of 1965 as last amended by section 27, chapter 80, Laws of 1977 ex. sess. and RCW 26.44.040; amending section 5, chapter 13, Laws of 1965 as

last amended by section 3, chapter 164, Laws of 1981 and RCW 26.44.050; amending section 6, chapter 35, Laws of 1969 ex. sess. as last amended by section 4, chapter 164, Laws of 1981 and RCW 26.44.070; and adding a new chapter to Title 74 RCW.

Referred to Committee on Social & Health Services.

HB 1329 by Representatives Appelwick, Jacobsen, Powers, Charnley, Patrick, P. King, Grimm, B. Williams, Halsan, Schoon, Todd and Tanner

AN ACT Relating to excise taxes; amending section 48, chapter 37, Laws of 1980 as amended by section 1, chapter 86, Laws of 1980 and RCW 82.08.0283; amending section 75, chapter 37, Laws of 1980 as amended by section 2, chapter 86, Laws of 1980 and RCW 82.12.0277; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1330 by Representatives Braddock, B. Williams, Silver, Hastings and Schoon (by Office of Financial Management and by State Auditor request)

AN ACT Relating to state budgeting and accounting; and adding new sections to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 1331 by Representatives Zellinsky, Schmidt, Smitherman, Patrick, Jacobsen, Vander Stoep, Powers, J. Williams, Johnson, Stratton, Fuhrman, Halsan and Egger

AN ACT Relating to state government; and adding a new section to chapter 39.24 RCW.

Referred to Committee on State Government.

HB 1332 by Representatives Garrett and Barnes

AN ACT Relating to metropolitan municipal corporations; and amending section 35.58.160, chapter 7, Laws of 1965 as amended by section 2, chapter 84, Laws of 1974 ex. sess. and RCW 35.58.160.

Referred to Committee on Local Government.

HB 1333 by Representatives Ballard, Chandler, Nealey, Tilly, Fuhrman, West, G. Nelson, Sanders, Johnson, Patrick, Dickie, Hastings, Brough, C. Smith, Betrozoff and Schoon

AN ACT Relating to industrial insurance; amending section 26, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.010; adding a new chapter to Title 48 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Labor.

HB 1334 by Representatives Powers, Fisher, Smitherman, Broback, Sayan, Johnson, Fisch, Schoon, Crane, Allen, Walk, Ebersole, Vekich, Burns, Gallagher, Wang, Kaiser, Todd, Zellinsky, Silver, Dellwo and Grimm

AN ACT Relating to community colleges; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1335 by Representatives Zellinsky, Schmidt, Egger, Patrick, Powers and J. Williams

AN ACT Relating to local excise taxes; amending section 4, chapter 94, Laws of 1970 ex. sess. as amended by section 17, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.030; and amending section 5, chapter 94, Laws of 1970 ex. sess. as amended by section 18, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.040.

Referred to Committee on Ways & Means.

HB 1336 by Representatives Kreidler, West, Johnson, Tilly, Ballard, Lewis and Brough

AN ACT Relating to the office of county sheriff; adding new sections to chapter 36.28 RCW; and repealing section 6, chapter 153, Laws of 1979 ex. sess. and RCW 36.28.025.

Referred to Committee on Local Government.

HB 1337 by Representatives Fuhrman, L. Smith, Egger, Dellwo, Stratton, Padden, Barrett, Chandler, B. Williams, Patrick, West and C. Smith

AN ACT Relating to home education of students; amending section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 59, Laws of 1980 and RCW 28A.27.010; and amending section 4, chapter 217, Laws of 1969 ex. sess. as last amended by section 8, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.145.

Referred to Committee on Education.

HJR 45 by Representatives Galloway, Silver and Ebersole (by Governor Spellman request)

Providing the means for payment of indebtedness on public improvements.

Referred to Committee on Commerce & Economic Development.

HJR 46 by Representatives Dellwo, Taylor, Garrett, Stratton, Egger, Padden, Sanders, West, Barrett, Walk, Hastings, Burns, Fuhrman and Todd

Authorizing the valuation of single family residences at current use.

Referred to Committee on Ways & Means.

HJR 47 by Representatives Powers, Appelwick, Belcher, Fisher, Smitherman, Sayan, D. Nelson, Pruitt, P. King, Dellwo, Burns, Halsan, Ebersole, Fisch, McMullen, Vekich, Haugen, Todd, Tanner, McClure, Grimm, Heck, Wang, Sutherland, Lux, Zellinsky, O'Brien, Hine, Garrett, Holland and Patrick

Prohibiting sales and use taxes on food products for human consumption.

Referred to Committee on Ways & Means.

SB 3045 by Senators Hansen, Rasmussen, Woody and Barr

Removing the requirement for a warm water fish stamp.

Referred to Committee on Natural Resources.

SB 3379 by Senators Owen, Fuller, Vognild, Bender and Quigg

Providing group fishing permits for the handicapped and senior citizens.

Referred to Committee on Natural Resources.

SSB 3984 by Committee on Judiciary (originally sponsored by Senators Talmadge and Pullen; by Secretary of State request)

Clarifying recall procedures.

Referred to Committee on Constitution, Elections & Ethics.

MOTION

On motion of Mr. Wang, the bills listed on today's introduction of bills were considered first reading under the fourth order of business and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 10, 1984

ESHB 448 Prime Sponsor, Committee on Social and Health Services: Modifying the disabled parking laws. Reported by Committee on Social & Health Services

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, McClure, Mitchell, Niemi, Padden, Scott, Stratton, West and B. Williams.

Absent: Representatives Lewis and Stratton.

Passed to Committee on Rules for second reading.

January 11, 1984

HB 710 Prime Sponsor, Representative D. Nelson: Authorizing municipal corporations to develop electrical generation facilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Barnes, Bond, Gallagher, Hastings, Jacobsen, Locke, Long, Miller, Nealey, Pruitt, Scott, Sutherland and Van Luven.

Absent: Representatives Armstrong, Fuhrman, Isaacson and Moon.

Passed to Committee on Rules for second reading.

January 10, 1984

HB 1104 Prime Sponsor, Representative Fisch: Modifying the regulation of political activities of public employees. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Fisher, Jacobsen, Long, Miller, Patrick, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Voting nay: Representative Barnes.

Passed to Committee on Rules for second reading.

January 10, 1984

HB 1133 Prime Sponsor, Representative Sommers: Specifying requirements for political advertising. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:
On page 1, at the beginning of line 21 strike "five" and insert "two"

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Patrick, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Voting nay: Representative Miller.

Passed to Committee on Rules for second reading.

January 10, 1984

HB 1179 Prime Sponsor, Representative Kreidler: Providing assessment procedures for the cost analysis of mandated health benefits. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Wang, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 401, by Representatives Pruitt and Barnes

Equalizing the length of the ballot titles for all local ballot measures.

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

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 401, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 1; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Absent: Representative Bond - 1.

Excused: Representatives Brekke, Broback, Haugen, Lewis, Prince, Vekich, Wilson - 7.

House Bill No. 401, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Wilson appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 915, by Committee on Higher Education (originally sponsored by Representative Burns)

Establishing procedures and providing certain immunities to faculty peer review committees.

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

Mr. Burns spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 915, and the bill passed the House by the following vote: Yeas, 92; nays, 0; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Brekke, Brough, Haugen, Lewis, Prince, Vekich - 6.

Substitute House Bill No. 915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Lewis appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 711, by Committee on Judiciary (originally sponsored by Representatives Locke, Zellinsky, Patrick, McMullen, Niemi, Crane, Stratton, Egger, Monohon, P. King, Dellwo, Appelwick, Smitherman, Padden, Isaacson, Miller, Haugen, Belcher, D. Nelson, Wilson, Tilly, Tanner, Sanders, Holland and R. King; by Attorney General request)

Modifying provisions concerning rights of crime victims, their survivors, and witnesses of crime.

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

On motion of Mr. Wang, the rules were suspended, and the bill was returned to second reading for amendment.

Mr. Locke moved adoption of the following amendments:

On page 7, beginning in line 33, strike all material down to and including line 3 on page 10 and insert the following:

*Sec. 8. Section 12, chapter 137, Laws of 1981 as last amended by section 2, chapter 163, Laws of 1983 and RCW 9.94A.120 are each amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2) and (5) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender, the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

(a) Devote time to a specific employment or occupation;

(b) Undergo available outpatient treatment or inpatient treatment not to exceed the standard range of confinement for that offense;

(c) Pursue a prescribed, secular course of study or vocational training;

(d) Remain within prescribed geographical boundaries and notify the court or the probation officer of any change in the offender's address or employment;

(e) Report as directed to the court and a probation officer; or

(f) Pay a fine(~~(-make restitution;))~~ and/or accomplish some community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, (~~(restitution;))~~ a term of community supervision not to exceed one year, and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds that the sentence otherwise authorized by this subsection would pose an unacceptable threat to community safety.

(7) If the court imposes a sentence requiring confinement of sixty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than sixty days of confinement shall be served on consecutive days.

(8) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. No such period of time may exceed ten years subsequent to the entering of the judgment of conviction.

(9) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in RCW 9A.20.020.

(10) A departure from the standards governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

(11) The court shall order restitution whenever the offender is convicted of a felony which results in injury to any person or damage to or loss of property, whether the offender is sentenced to confinement or placed on probation, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment. The court shall set forth the extraordinary circumstances in the record if it does not order restitution."

On page 12, beginning on line 4, strike all material down to and including line 20 on page 13 and insert the following:

"Sec. 12. Section 1, chapter 19, Laws of 1980 as last amended by section 4, chapter 156, Laws of 1983 and RCW 9.95.210 are each amended to read as follows:

In granting probation, the court may suspend the imposition or the execution of the sentence and may direct that the suspension may continue for such period of time as it shall designate, not exceeding the maximum term of sentence in the case of a superior court or a period of two years in the case of a court of limited jurisdiction organized under Title 3, 35, or 35A RCW, except as hereinafter set forth and upon such terms and conditions as it shall determine.

In the order granting probation and as a condition thereof, the court 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 the 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))~~ (3) 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 require that the probationer make restitution to any persons who have suffered loss or damage caused by the crime, on such terms as the court deems appropriate under the circumstances, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment. The court shall set forth the extraordinary circumstances in the record if it does not order restitution.

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 the probation to follow implicitly the instructions of the secretary. ~~((ff))~~ When 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 the person during the term of his probation. 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 county legislative authority of the county wherein the court is located."

On page 13, beginning on line 25, strike all of section 14 and insert the following:

"NEW SECTION, Sec. 14. This act shall take effect on July 1, 1984."

On page 1, line 9 of the title, strike "amended by section 4, chapter 192, Laws of 1982" and insert "last amended by section 2, chapter 163, Laws of 1983"

On page 1, beginning on line 15 of the title, strike "section 10, chapter 47, Laws of 1982 1st ex. sess." and insert "section 4, chapter 156, Laws of 1983"

On page 1, line 17 of the title, strike "effective dates" and insert "an effective date"

Representatives Locke and Padden spoke in favor of the amendments, and they were adopted.

The bill was ordered reengrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 711, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Haisan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Brekke, Broback, Haugen, Prince, Vekich - 5.

Reengrossed Substitute House Bill No. 711, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Prince appeared at the bar of the House.

MOTION

On motion of Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 255, by Representatives Sommers, Tilly, Braddock, Struthers, Rust, Brekke, Vander Stoep, Fiske, Appelwick, Stratton, J. King, Halsan, Jacobsen, Locke, Lux, Haugen and Ristuben

Establishing a watercraft excise tax.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 255 was substituted for House Bill No. 255, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 255 was read the second time.

Mr. Sanders moved adoption of the following amendments by Representatives Sanders and Miller:

On page 2, line 25 strike "and" and insert "~~(and)~~"

On page 2, following line 27 insert "and

(d) Canoes, even if longer than sixteen feet in overall length;"

Mr. Sanders spoke in favor of the amendments, and Ms. Sommers spoke against them.

Mr. Sanders spoke again in favor of the amendments, and Mr. Grimm spoke against them.

The amendments were not adopted.

Mr. J. Williams moved adoption of the following amendment by Representatives J. Williams, Zellinsky and Schmidt:

On page 3, line 17 strike all of section 4 and renumber the remaining sections consecutively.

Representatives J. Williams and Zellinsky spoke in favor of the amendment.

Mr. Barrett demanded an electric roll call vote and the demand was sustained.

Representatives Hine and Charnley spoke against the amendment, and Representatives Cantu, Taylor and Mitchell spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative J. Williams and others to Substitute House Bill No. 255, and the amendment was adopted by the following vote: Yeas, 55; nays, 39; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Holland, Johnson, Kaiser, King P, King R, Lewis, Long, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 55.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Burns, Charnley, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Isaacson, Jacobsen, King J, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Walk, Wang, and Mr. Speaker - 39.

Excused: Representatives Brekke, Broback, Haugen, Vekich - 4.

On motion of Mr. J. Williams, the following amendment to the title of the bill was adopted:

On page 1, line 4 following "88.02.030;" strike all material through "82.49.070;" on line 5.

Substitute House Bill No. 255 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 827, by Representatives Pruitt, Lewis, Belcher, Long, Miller, Tilly, Halsan and Silver (by Secretary of State request)

Prohibiting counterfeit voters' and candidates' pamphlets.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 827 was substituted for House Bill No. 827, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 827 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 699, by Representatives D. Nelson, Pruitt and Barnes

Facilitating citizen participation in the political process.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 699 was substituted for House Bill No. 699, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 699 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 880, by Representative Heck

Regulating payment procedures for certain health care providers not participants in a health services contract.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 843, by Representatives Monohon, B. Williams, Sommers and Grimm

Revising provisions relating to employer contributions for retirement benefits.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 843 was substituted for House Bill No. 843, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 843 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 626, by Representative Grimm

Modifying provisions concerning adoption.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 626 was substituted for House Bill No. 626, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 626 was read the second time.

On motion of Mr. Padden, the following amendments by Representatives Padden and Armstrong were adopted:

On page 11, line 13 after "department," insert "an individual approved by the court."

On page 11, line 26 strike "or" and insert "."

On page 11, line 26, after "department" insert ", or a court approved individual"

On page 11, line 30, after "department," insert "a court approved individual."

On page 11, line 32, strike "or" and insert "."

On page 11, line 32, after "department's" insert ", or court approved individual's."

On page 12, line 1, after "department," insert "court approved individual."

On page 12, line 19 after "department," insert "an individual approved by the court."

On page 13, line 27, after "agencies" insert ", any court approved individual."

On page 13, line 32, after "agency" insert "or court approved individual"

On page 13, line 35, after "agency" insert "or court approved individual"

On page 13, line 36, after "agency" insert "or court approved individual"

On page 14, line 1, strike "it" and insert "the agency or court approved individual"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck the House was adjourned until 1:00 p.m., Friday, January 13, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, January 13, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Broback, Stratton, Taylor and Wilson. Representatives Stratton, Taylor and Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Wendi Reed and Nicole Bundrock. Prayer was offered by The Reverend Rick Quast, Minister of the Seventh Day Adventist Church of Lacey.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 12, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3098,
SUBSTITUTE SENATE BILL NO. 3504,
ENGROSSED SUBSTITUTE SENATE BILL NO. 3616,
SUBSTITUTE SENATE BILL NO. 4111,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

HB 1338 by Representatives Moon and Miller

AN ACT Relating to special districts; amending section 9, chapter 210, Laws of 1941 as last amended by section 1, chapter 92, Laws of 1980 and RCW 56.12.010; and amending section 7, chapter 114, Laws of 1929 as last amended by section 2, chapter 92, Laws of 1980 and RCW 57.12.010.

Referred to Committee on Local Government.

HB 1339 by Representatives Wang, Monohon, Schmidt, Brekke, Allen, Brough, Lux, Fisher, Vekich, Crane, Charnley and Todd

AN ACT Relating to gender-based discrimination; amending section 7, chapter 119, Laws of 1975-'76 2nd ex. sess. and RCW 48.30.300; amending section .18.48, chapter 79, Laws of 1947 as amended by section 12, chapter 193, Laws of 1957 and RCW 48.18.480; amending section 16, chapter 32, Laws of 1983 1st ex. sess. and RCW 48.20.050; amending section .23.18, chapter 79, Laws of 1947 as amended by section 12, chapter 181, Laws of 1982 and RCW 48.23.180; amending section .23.36, chapter 79, Laws of 1947 as last amended by section 6, chapter 162, Laws of 1973 1st ex. sess. and RCW 48.23.360; amending section .24.15, chapter 79, Laws of 1947 as amended by section 22, chapter 32, Laws of 1983 1st ex. sess. and RCW 48.24.150; amending section .32.04, chapter 79, Laws of 1947 and RCW 48.36.040; amending section .32.05, chapter 79, Laws of 1947 as amended by section 1, chapter 96, Laws of 1977 ex. sess. and RCW 48.36.050; amending section .32.12, chapter 79, Laws of 1947 as amended by section 3, chapter 96, Laws of 1977 ex. sess. and RCW 48.36.120; amending section .32.23, chapter 79, Laws of 1947 as last amended by section 4, chapter 96, Laws of 1977 ex. sess. and RCW 48.36.230; amending section .32.30, chapter 79, Laws of 1947 and RCW 48.36.300; amending section .32.31, chapter 79, Laws of 1947 and RCW 48.36.310; amending section 4, chapter 115, Laws of 1969 as last amended by section 4, chapter 154, Laws of 1983 and RCW 48.44.220; amending section 15, chapter 106, Laws of 1983 and RCW 48.46.370; amending section 1, chapter 200, Laws of 1982 and RCW 48.66.041; amending section 3, chapter 9, Laws of 1982 1st ex. sess. and RCW 48.74-.030; amending section 14, chapter 9, Laws of 1982 1st ex. sess. and RCW 48.76.050; amending section 2, chapter 183, Laws of 1949 as last amended by section 2, chapter 127, Laws of 1979 and RCW 49.60.030; amending section 6, chapter 141, Laws of 1973 as last

amended by section 6, chapter 127, Laws of 1979 and RCW 49.60.178; adding a new section to chapter 48.76 RCW; creating new sections; making an appropriation; providing effective dates; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1340 by Representatives Monohon, O'Brien, Belcher, Lewis, Kreidler, Johnson, Halsan, Ebersole and McMullen

AN ACT Relating to retirement from public service; amending section 16, chapter 274, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1983 and RCW 41.40.150; adding a new section to chapter 41.40 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1341 by Representatives Todd, Johnson, Miller, Fiske, Lewis, Barrett, Tanner, Sanders and Ballard

AN ACT Relating to nursing home cost reimbursement; and amending section 46, chapter 177, Laws of 1980 as last amended by section 21, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.460.

Referred to Committee on Social & Health Services.

HB 1342 by Representatives Walk and Egger

AN ACT Relating to transportation.

Referred to Committee on Rules.

HB 1343 by Representatives Fisher, Pruitt, Jacobsen, Sommers, Wang, Patrick, Ebersole, Tanner and Miller

AN ACT Relating to campaign financing; adding new sections to chapter 42.17 RCW; creating a new section; and providing an effective date.

Referred to Committee on Constitution, Elections & Ethics.

HB 1344 by Representatives McMullen, Zellinsky, P. King, Egger, Schoon, Powers, Brough, Long and Mitchell

AN ACT Relating to teachers; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.005; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW.

Referred to Committee on Education.

HB 1345 by Representatives Tilly, Moon, Stratton, Ballard, Fiske, Halsan, Mitchell, Egger and Miller

AN ACT Relating to state government; amending section 8, chapter 209, Laws of 1975 1st ex. sess. as amended by section 6, chapter 11, Laws of 1982 and RCW 43.51.340; amending section 2, chapter 182, Laws of 1979 ex. sess. as amended by section 1, chapter 139, Laws of 1983 and RCW 46.10.220; and amending section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 173, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 76.09.030.

Referred to Committee on State Government.

HB 1346 by Representatives Moon, Miller and Ballard

AN ACT Relating to water and sewer districts; and amending section 5, chapter 95, Laws of 1971 ex. sess. and RCW 35.13A.050.

Referred to Committee on Local Government.

HB 1347 by Representatives Sommers, B. Williams, Grimm and L. Smith

AN ACT Relating to annuities and retirement plans for employees at institutions of higher education; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 259, Laws of 1979 ex. sess. and RCW 28B.10.400; amending section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 259, Laws of 1979 ex. sess. and RCW 28B.10.415; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1348 by Representatives Jacobsen, Burns, Prince, Charnley, Locke, D. Nelson and Appelwick

AN ACT Relating to exemption from payment of operating fees for certain students at the state universities and regional universities; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1349 by Representatives R. King, Ballard, J. King, Miller, Tanner and Barrett

AN ACT Relating to nursing home survey standards, certification, and compliance enforcement; and adding new sections to chapter 74.42 RCW.

Referred to Committee on Social & Health Services.

HB 1350 by Representatives Grimm and Charnley

AN ACT Relating to revenue and taxation; adding a new chapter to Title 82 RCW; adding a new section to chapter 84.36 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Ways & Means.

HB 1351 by Representatives R. King, Patrick, Sayan, Betzoff and B. Williams

AN ACT Relating to boilers and unfired pressure vessels; amending section 1, chapter 32, Laws of 1951 and RCW 70.79.010; amending section 3, chapter 32, Laws of 1951 as amended by section 1, chapter 86, Laws of 1972 ex. sess. and RCW 70.79.030; amending section 9, chapter 32, Laws of 1951 as amended by section 2, chapter 86, Laws of 1972 ex. sess. and RCW 70.79.090; amending section 10, chapter 32, Laws of 1951 and RCW 70.79.100; amending section 11, chapter 32, Laws of 1951 and RCW 70.79.110; amending section 12, chapter 32, Laws of 1951 and RCW 70.79.120; amending section 16, chapter 32, Laws of 1951 and RCW 70.79.160; amending section 21, chapter 32, Laws of 1951 and RCW 70.79.200; amending section 22, chapter 32, Laws of 1951 and RCW 70.79.240; amending section 28, chapter 32, Laws of 1951 as last amended by section 1, chapter 175, Laws of 1977 ex. sess. and RCW 70.79.290; amending section 30, chapter 32, Laws of 1951 and RCW 70.79.310; amending section 31, chapter 32, Laws of 1951 and RCW 70.79.320; amending section 32, chapter 32, Laws of 1951 as last amended by section 2, chapter 175, Laws of 1977 ex. sess. and RCW 70.79.330; amending section 34, chapter 32, Laws of 1951 as last amended by section 171, chapter 151, Laws of 1979 and RCW 70.79.350; amending section 36, chapter 32, Laws of 1951 and RCW 70.79.360; adding a new section to chapter 51.04 RCW; adding new sections to chapter 70.79 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor.

HB 1352 by Representatives Ebersole, Smitherman and Todd

AN ACT Relating to public libraries; amending section 8, chapter 119, Laws of 1935 as last amended by section 8, chapter 123, Laws of 1982 and RCW 27.12.190; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Local Government.

HB 1353 by Representatives Haugen, G. Nelson, Charnley, Brough, Patrick, Hine, Prince and Holland

AN ACT Relating to local government; amending section 13, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.130; amending section 1, chapter 200, Laws of 1979 ex. sess. and RCW 84.52.069; amending section 18, chapter 210, Laws of 1981 and RCW 36.69.145; and adding new sections to chapter 29.30 RCW.

Referred to Committee on Local Government.

HB 1354 by Representatives Sommers, Betzoff, Galloway, Dickie, Appelwick, Taylor, Haugen, Johnson, Niemi and Miller

AN ACT Relating to transitional bilingual instruction; amending section 1, chapter 95, Laws of 1979 and RCW 28A.58.800; amending section 2, chapter 95, Laws of 1979 and RCW 28A.58.802; amending section 3, chapter 95, Laws of 1979 and RCW 28A.58.804; amending section 4, chapter 95, Laws of 1979 and RCW 28A.58.806; amending section 5, chapter 95, Laws of 1979 and RCW 28A.58.808; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and repealing section 6, chapter 95, Laws of 1979 and RCW 28A.58.810.

Referred to Committee on Education.

HB 1355 by Representatives Niemi, Belcher, O'Brien, Johnson, Kreidler, Halsan and D. Nelson

AN ACT Relating to payroll deductions for public employees; and amending section 5, chapter 59, Laws of 1969 as last amended by section 3, chapter 28, Laws of 1983 1st ex. sess. and RCW 41.04.230.

Referred to Committee on State Government.

HB 1356 by Representatives Crane and Todd

AN ACT Relating to excess levies for school districts; and reenacting and amending section 4, chapter 325, Laws of 1977 ex. sess. as last amended by section 1, chapter 168, Laws of 1981 and by section 10, chapter 264, Laws of 1981 and RCW 84.52.0531.

Referred to Committee on Education.

HB 1357 by Representatives McClure and B. Williams

AN ACT Relating to taxation of personal property; amending section 84.56.090, chapter 15, Laws of 1961 and RCW 84.56.090; and amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 5, chapter 46, Laws of 1982 1st ex. sess. and RCW 84.40.040.

Referred to Committee on Local Government.

HB 1358 by Representative B. Williams

AN ACT Relating to disability compensation; and amending section 32, chapter 274, Laws of 1947 as last amended by section 7, chapter 155, Laws of 1965 and RCW 41.40.310.

Referred to Committee on Ways & Means.

HB 1359 by Representative Barnes

AN ACT Relating to controlled substances; and adding a new chapter to Title 69 RCW.

Referred to Committee on Social & Health Services.

HB 1360 by Representatives Jacobsen, Burns, Prince, Locke and Appelwick

AN ACT Relating to self-sustaining educational programs; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW.

Referred to Committee on Higher Education.

HB 1361 by Representatives Sutherland, Long, Pruitt, Brough, Schoon, Ebersole, Tanner and Sanders

AN ACT Relating to voluntary contributions to assist low-income utility customers; and adding a new chapter to Title 54 RCW.

Referred to Committee on Energy & Utilities.

HB 1362 by Representatives Stratton, B. Williams, Egger, Mitchell, Halsan, Dellwo, Barrett and Silver

AN ACT Relating to food fish and shellfish; amending section 1, chapter 31, Laws of 1983 1st ex. sess. and RCW 75.25.015; amending section 11, chapter 327, Laws of 1977 ex. sess. as amended by section 94, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.100; amending section 13, chapter 327, Laws of 1977 ex. sess. as amended by section 95; chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.110; amending section 17, chapter 327, Laws of 1977 ex. sess. as amended by section 96, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.120; amending section 12, chapter 327, Laws of 1977 ex. sess. as amended by section 97, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.130; amending section 15, chapter 327, Laws of 1977 ex. sess. as last amended by section 98, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.140; amending section 99, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.150; amending section 16, chapter 327, Laws of 1977 ex. sess. as amended by section 100, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.160; and adding new sections to chapter 75.25 RCW.

Referred to Committee on Natural Resources.

HB 1363 by Representatives Sommers, Vander Stoep, Heck, Dellwo, Burns, Barrett, Rust, Grimm, Sanders, Cantu, Sayan, Allen, McClure, Ellis, Tilly and Stratton

AN ACT Relating to review of higher education; creating a new section; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1364 by Representatives Sutherland, Betzoff, Armstrong, Van Luven, McMullen, Barrett, Charnley, Hankins, Halsan, Todd and Wang

AN ACT Relating to automotive repairman registration; amending section 1, chapter 280, Laws of 1977 ex. sess. as amended by section 1, chapter 62, Laws of 1982 and RCW 46.71.010; adding a new chapter to Title 18 RCW; prescribing penalties; making an appropriation; and providing an effective date.

Referred to Committee on Transportation.

HB 1365 by Representatives Zellinsky, Haugen, Moon, Vekich, Smitherman, Fisher, Powers, Ebersole and Todd

AN ACT Relating to public water supply systems; adding new sections to chapter 43.20A RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 1366 by Representative Appelwick

AN ACT Relating to eminent domain; and amending section 1, chapter 28, Laws of 1943 and RCW 8.28.040.

Referred to Committee on Judiciary.

HB 1367 by Representatives Garrett, Hankins, Kreidler, Lux, Sayan and Hine

AN ACT Relating to health insurance; amending section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 82, Laws of 1974 ex. sess. and RCW 41.04.180; and adding new sections to chapter 41.04 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1368 by Representatives Sommers, B. Williams and Grimm

AN ACT Relating to retirement of employees at institutions of higher education; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

Referred to Committee on Ways & Means.

HB 1369 by Representatives O'Brien, R. King, Sayan, Vekich, Silver, Schmidt, Prince, Niemi, Hankins, D. Nelson, Gallagher and Tanner

AN ACT Relating to state government, creating the decoration of the state medal of merit; and adding a new chapter to Title 1 RCW.

Referred to Committee on State Government.

HB 1370 by Representatives J. King, Ballard, Miller, Fiske, Lewis, Barrett, Holland, Patrick, Silver, Clayton, Mitchell, Sanders and Struthers

AN ACT Relating to self-insurance for nursing homes; and amending section 7, chapter 191, Laws of 1982 as amended by section 2, chapter 174, Laws of 1983 and RCW 51.14.150.

Referred to Committee on Labor.

HB 1371 by Representative Walk

AN ACT Relating to transportation.

Referred to Committee on Rules.

HB 1372 by Representative Walk

AN ACT Relating to transportation.

Referred to Committee on Rules.

HB 1373 by Representatives Wang, J King, Ebersole, B. Williams, Rust, Smitherman, Barrett, Grimm, Schoon, Van Dyken, Fisher, Walk, Kaiser, Brough, Tanner, Powers, Clayton, Long and Mitchell

AN ACT Relating to economic development: adding new sections to chapter 43.21A RCW; adding a new section to chapter 43.31 RCW; creating a new section; and making an appropriation.

Referred to Committee on Commerce & Economic Development.

HB 1374 by Representatives Dellwo, Ellis and Ballard

AN ACT Relating to marriages: amending section 2, chapter 204, Laws of 1939 and RCW 26.04.140; amending section 4, chapter 204, Laws of 1939 as amended by section 7, chapter 26, Laws of 1967 and RCW 26.04.160; amending section 5, chapter 204, Laws of 1939 and RCW 26.04.170; amending section 1, chapter 107, Laws of 1953 as last amended by section 1, chapter 128, Laws of 1979 ex. sess. and RCW 26.04.180; and amending sections 13 and 14, page 83, Laws of 1866 as last amended by section 2, chapter 128, Laws of 1979 ex. sess. and RCW 26.04.210.

Referred to Committee on Judiciary.

HB 1375 by Representatives Ballard, Hastings, Patrick, Dickie, Sanders, Silver, Betzoff, Egger, Broback, Schmidt, Chandler, Clayton, Schoon, Long, Brough, J. Williams, Wilson, Miller, Fuhrman, Tilly, Allen, Nealey, Johnson, C. Smith, Van Luven and Struthers

AN ACT Relating to industrial insurance: amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 21, chapter 15, Laws of 1983 and RCW 41.06.070; amending section 43.22.030, chapter 8, Laws 1965 and RCW 43.22.030; amending section 2, chapter 265, Laws of 1971 ex. sess. as amended by section 2, chapter 109, Laws of 1975-'76 2nd ex. sess. and RCW 43.32.020; amending section 51.04.020, chapter 23, Laws of 1961 as last amended by section 77, chapter 75, Laws of 1977 and RCW 51.04.020; amending section 1, chapter 14, Laws of 1980 and RCW 51.04.030; amending section 51.04.040, chapter 23, Laws of 1961 as amended by section 1, chapter 323, Laws of 1977 ex. sess. and RCW 51.04.040; amending section 2, chapter 14, Laws of 1980 and RCW 51.04.070; amending section 26, chapter 323, Laws of 1977 ex. sess. and RCW 51.04.085; amending section 3, chapter 107, Laws of 1961 as last amended by section 15, chapter 111, Laws of 1979 and RCW 51.08.013; amending section 51.08.015, chapter 23, Laws of 1961 as last amended by section 9, chapter 350, Laws of 1977 ex. sess. and RCW 51.08.015; amending section 51.12.050, chapter 23, Laws of 1961 as last amended by section 18, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.050; amending section 51.12.070, chapter 23, Laws of 1961 as last amended by section 4, chapter 128, Laws of 1981 and RCW 51.12.070; amending section 6, chapter 14, Laws of 1980 as amended by section 17, chapter 63, Laws of 1982 and RCW 51.12.110; amending section 82, chapter 289, Laws of 1971 ex. sess. as last amended by section 23, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.120; amending section 1, chapter 113, Laws of 1977 ex. sess. and RCW 51.12.140; amending section 26, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.010; amending section 30, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.050; amending section 34, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.100; amending section 35, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.110; amending section 16, chapter 289, Laws of 1971 ex. sess. as last amended by section 4, chapter 129, Laws of 1980 and RCW 51.16.035; amending section 2, chapter 151, Laws of 1963 as last amended by section 25, chapter 350, Laws of 1977 ex. sess. and RCW 51.16.042; amending section 7, chapter 14, Laws of 1980 and RCW 51.16.120; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 29, chapter 350, Laws of 1977 ex. sess. and RCW 51.16.140; amending section 51.16.150, chapter 23, Laws of 1961 as amended by section 15, chapter 43, Laws of 1972 ex. sess. and RCW 51.16.150; amending section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030; amending section 3, chapter 85, Laws of 1977 ex. sess. as amended by section 1, chapter 211, Laws of 1983 and RCW 51.24.050; amending section 4, chapter 85, Laws of 1977 ex. sess. as amended by section 2, chapter 211, Laws of 1983 and RCW 51.24.060; amending section 5, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.070; amending section 6, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.080; amending section 7, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.090; amending section 51.28.010, chapter 23, Laws of 1961 as last amended by section 32, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.010; amending section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020; amending section 39, chapter 289, Laws of 1971 ex. sess. as amended by section 5, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.28.025; amending section 51.28.030, chapter 23, Laws of 1961 as last amended by section 17, chapter 43, Laws of 1972 ex. sess. and RCW 51.28.030; amending section 51.28.070, chapter 23, Laws of 1961 as last amended by section 36, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.070; amending section 51.32.010, chapter 23, Laws of 1961 as last amended by section 37, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.010; amending section 1, chapter 107, Laws of 1961 as last amended by section 38, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.015; amending section 8, chapter 14, Laws of 1980 and RCW 51.32.030; amending section 13, chapter 2, Laws of 1983 and RCW 51.32.040; amending section

51.32.050, chapter 23, Laws of 1961 as last amended by section 18, chapter 63, Laws of 1982 and RCW 51.32.050; amending section 46, chapter 289, Laws of 1971 ex. sess. as last amended by section 1, chapter 326, Laws of 1981 and RCW 51.32.055; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 159, chapter 3, Laws of 1983 and RCW 51.32.060; amending section 9, chapter 14, Laws of 1980 and RCW 51.32.073; amending section 10, chapter 14, Laws of 1980 as last amended by section 2, chapter 70, Laws of 1983 and RCW 51.32.095; amending section 11, chapter 14, Laws of 1980 and RCW 51.32.110; amending section 51.32.130, chapter 23, Laws of 1961 and RCW 51.32.130; amending section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 3, chapter 20, Laws of 1982 1st ex. sess. and RCW 51.32.190; amending section 48, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.200; amending section 3, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 19, chapter 63, Laws of 1982 and RCW 51.32.220; amending section 2, chapter 151, Laws of 1979 ex. sess. and RCW 51.32.230; amending section 13, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.240; amending section 51.36.010, chapter 23, Laws of 1961 as last amended by section 56, chapter 350, Laws of 1977 ex. sess. and RCW 51.36.010; amending section 51.36.020, chapter 23, Laws of 1961 as last amended by section 12, chapter 63, Laws of 1982 and RCW 51.36.020; amending section 52, chapter 289, Laws of 1971 ex. sess. as amended by section 1, chapter 42, Laws of 1979 ex. sess. and RCW 51.36.050; amending section 53, chapter 289, Laws of 1971 ex. sess. as amended by section 15, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.36.060; amending section 54, chapter 289, Laws of 1971 ex. sess. as amended by section 60, chapter 350, Laws of 1977 ex. sess. and RCW 51.36.070; amending section 55, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.080; amending section 51.44.010, chapter 23, Laws of 1961 and RCW 51.44.010; amending section 51.44.040, chapter 23, Laws of 1961 as last amended by section 14, chapter 63, Laws of 1982 and RCW 51.44.040; amending section 51.44.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 312, Laws of 1983 and RCW 51.44.070; amending section 51.48.010, chapter 23, Laws of 1961 as last amended by section 20, chapter 63, Laws of 1982 and RCW 51.48.010; amending section 62, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.015; amending section 66, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.017; amending section 51.48.020, chapter 23, Laws of 1961 as last amended by section 22, chapter 323, Laws of 1977 ex. sess. and RCW 51.48.020; amending section 51.48.040, chapter 23, Laws of 1961 and RCW 51.48.040; amending section 13, chapter 14, Laws of 1980 and RCW 51.48.050; amending section 51.48.090, chapter 23, Laws of 1961 and RCW 51.48.090; amending section 65, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.110; amending section 51.52.030, chapter 23, Laws of 1961 and RCW 51.52.030; amending section 51.52.050, chapter 23, Laws of 1961 as last amended by section 4, chapter 109, Laws of 1982 and RCW 51.52.050; amending section 51.52.060, chapter 23, Laws of 1961 as last amended by section 76, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.060; amending section 51.52.070, chapter 23, Laws of 1961 as last amended by section 77, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.070; amending section 51.52.095, chapter 23, Laws of 1961 as last amended by section 7, chapter 109, Laws of 1982 and RCW 51.52.095; amending section 1, chapter 40, Laws of 1973 as last amended by section 6, chapter 109, Laws of 1982 and RCW 51.52.110; amending section 51.52.130, chapter 23, Laws of 1961 as last amended by section 23, chapter 63, Laws of 1982 and RCW 51.52.130; amending section 51.52.150, chapter 23, Laws of 1961 and RCW 51.52.150; adding a new section to chapter 48.02 RCW; adding new sections to chapter 48.19 RCW; adding new sections to chapter 51.08 RCW; adding a new section to chapter 51.14 RCW; adding new sections to chapter 51.16 RCW; adding a new chapter to Title 51 RCW; creating new sections; providing effective dates; and declaring an emergency.

Referred to Committee on Labor.

HB 1376 by Representatives Moon and West

AN ACT Relating to code cities; amending section 35A.12.010, chapter 119, Laws of 1967 ex. sess. as last amended by section 1, chapter 128, Laws of 1983 and RCW 35A.12.010; and amending section 35A.13.010, chapter 119, Laws of 1967 ex. sess. as last amended by section 2, chapter 128, Laws of 1983 and RCW 35A.13.010.

Referred to Committee on Local Government.

HB 1377 by Representatives R. King and Mitchell

AN ACT Relating to disposition of revenue; and amending section 3, chapter 60, Laws of 1980 and RCW 46.68.170.

Referred to Committee on Transportation.

HB 1378 by Representatives Niemi, O'Brien, Johnson, Belcher, Kreidler and Walk

AN ACT Relating to public employees; amending section 1, chapter 12, Laws of 1970 ex. sess. as last amended by section 4, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.020; amending section 8, chapter 10, Laws of 1982 and RCW 41.06.110; amending section 4, chapter 53, Laws of 1982 1st ex. sess. as amended by section 5, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.150; amending section 6, chapter 152, Laws of 1977 ex. sess. as amended by section 5, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.169; amending section 12, chapter 311, Laws of 1981 and RCW 41.64.110; amending section 2, chapter 36, Laws of 1969 ex. sess. as last amended by section 1, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.020; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 2, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.100; amending section 13, chapter 152, Laws of 1977 ex. sess. as amended by section 17, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.105; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.50.030; adding new sections to chapter 28B.16 RCW; adding new sections to chapter 41.06 RCW; adding a new section to chapter 43.01 RCW; repealing section 12, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.10.644; repealing section 13, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.10.645; repealing section 11, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.10.646; repealing section 18, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.250; repealing section 21, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.260; repealing section 22, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.270; repealing section 20, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.280; repealing section 23, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.290; repealing section 25, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.50.830; repealing section 26, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.50.840; repealing section 27, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.250; repealing section 28, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.260; repealing section 29, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.270; repealing section 6, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.175; repealing section 8, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.185; repealing section 9, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.195; repealing section 7, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.205; repealing section 10, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.215; and making an appropriation.

Referred to Committee on State Government.

HB 1379 by Representatives P. King, Moon and Long

AN ACT Relating to local government; amending section 22, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.210; adding a new section to chapter 82.14 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Local Government.

HB 1380 by Representatives Hine, Brough, Moon, Charnley and Todd

AN ACT Relating to boundary review boards; amending section 2, chapter 189, Laws of 1967 as amended by section 5, chapter 30, Laws of 1979 ex. sess. and RCW 36.93.020; amending section 7, chapter 10, Laws of 1982 and RCW 36.93.090; amending section 10, chapter 189, Laws of 1967 as last amended by section 1, chapter 76, Laws of 1983 and RCW 36.93.100; amending section 11, chapter 189, Laws of 1967 as amended by section 42, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.93.110; amending section 12, chapter 189, Laws of 1967 as amended by section 6, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.120; amending section 15, chapter 189, Laws of 1967 as last amended by section 13, chapter 5, Laws of 1979 ex. sess. and RCW 36.93.150; and amending section 19, chapter 189, Laws of 1967 and RCW 36.93.190.

Referred to Committee on Local Government.

HB 1381 by Representative P. King

AN ACT Relating to preadmission screening; amending section 28A.58.190, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 250, Laws of 1979 ex. sess. and RCW 28A.58.190; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW.

Referred to Committee on Education.

HB 1382 by Representatives P. King, Sayan, Powers and Appelwick

AN ACT Relating to criminal insanity; amending section 1, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 122, Laws of 1983 and RCW 10.77.010; amending section 2, chapter 117, Laws of 1973 1st ex. sess. as amended by section 2, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.020; amending section 4, chapter 117, Laws of 1973 1st ex. sess. as amended by section 4, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.040; amending section 6, chapter 117, Laws of 1973 1st ex. sess. as amended by

section 6, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.060; amending section 8, chapter 117, Laws of 1973 1st ex. sess. as amended by section 7, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.080; amending section 11, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 25, Laws of 1983 and RCW 10.77.110; amending section 21, chapter 117, Laws of 1973 1st ex. sess. as amended by section 3, chapter 196, Laws of 1983 and RCW 10.77.210; amending section 14, chapter 250, Laws of 1971 ex. sess. as amended by section 4, chapter 66, Laws of 1973 and RCW 42.30.140; adding new sections to chapter 10.77 RCW; creating new sections; repealing section 12, chapter 117, Laws of 1973 1st ex. sess., section 11, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.120; repealing section 13, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.130; repealing section 14, chapter 117, Laws of 1973 1st ex. sess., section 12, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.140; repealing section 15, chapter 117, Laws of 1973 1st ex. sess., section 13, chapter 198, Laws of 1974 ex. sess., section 1, chapter 112, Laws of 1982 and RCW 10.77.150; repealing section 16, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.160; repealing section 18, chapter 117, Laws of 1973 1st ex. sess., section 14, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.180; repealing section 19, chapter 117, Laws of 1973 1st ex. sess., section 15, chapter 198, Laws of 1974 ex. sess., section 2, chapter 112, Laws of 1982 and RCW 10.77.190; repealing section 20, chapter 117, Laws of 1973 1st ex. sess., section 16, chapter 198, Laws of 1974 ex. sess., section 2, chapter 25, Laws of 1983 and RCW 10.77.200; providing an effective date; and making an appropriation.

Referred to Committee on Judiciary.

HB 1383 by Representatives P. King, Belcher, Sryan and Powers

AN ACT Relating to termination of fund restrictions; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1384 by Representative Moon

AN ACT Relating to government finance; amending section 2, chapter 138, Laws of 1965 ex. sess. as amended by section 1, chapter 25, Laws of 1973 1st ex. sess. and RCW 39.53.010; adding a new section to chapter 35.45 RCW; and adding a new section to chapter 36.88 RCW.

Referred to Committee on Local Government.

HB 1385 by Representatives P. King and Crane

AN ACT Relating to collection of wages and benefits; and adding a new section to chapter 49.52 RCW.

Referred to Committee on Judiciary.

HB 1386 by Representatives R. King and Betzoff (by Attorney General request)

AN ACT Relating to industrial insurance; amending section 51.24.020, chapter 23, Laws of 1961 as last amended by section 31, chapter 350, Laws of 1977 ex. sess. and RCW 51.24.020; amending section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030; amending section 3, chapter 85, Laws of 1977 ex. sess. as amended by section 1, chapter 211, Laws of 1983 and RCW 51.24.050; amending section 4, chapter 85, Laws of 1977 ex. sess. as amended by section 2, chapter 211, Laws of 1983 and RCW 51.24.060; amending section 5, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.070; amending section 7, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.090; adding new sections to chapter 51.24 RCW; and declaring an emergency.

Referred to Committee on Labor.

HB 1387 by Representatives D. Nelson, Lux, Niemi, Burns, Pruitt and Locke

AN ACT Relating to the state convention and trade center; and amending section 2, chapter 34, Laws of 1982 as amended by section 2, chapter 1, Laws of 1983 2nd ex. sess. and RCW 67.40.020.

Referred to Committee on State Government.

HB 1388 by Representatives R. King, Patrick, Sryan, Clayton, Hine, Lux and Dellwo

AN ACT Relating to boilers and unfired pressure vessels; amending section 4, chapter 32, Laws of 1951 and RCW 70.79.040; creating a new section; adding new sections to chapter 70.79 RCW; and prescribing penalties.

Referred to Committee on Labor.

HB 1389 by Representatives D. Nelson, Niemi, Lux, Burns, Pruitt and Locke

AN ACT Relating to the state convention and trade center; and adding a new section to chapter 34, Laws of 1982 and to chapter 67.40 RCW.

Referred to Committee on State Government.

HB 1390 by Representatives Van Luven, O'Brien, Wang, Lewis, Walk, Todd, Sanders, Kreidler, Allen, G. Nelson, Barrett, Ebersole, L. Smith, Long, Mitchell, Crane, Ballard and Miller

AN ACT Relating to parking for disabled persons; amending section 6, chapter 192, Laws of 1979 ex. sess. and RCW 46.16.380; and amending section 2, chapter 128, Laws of 1961 as last amended by section 2, chapter 27, Laws of 1979 ex. sess. and RCW 46.61.580.

Referred to Committee on Transportation.

HJM 35 by Representatives Barnes, Hastings, J. Williams, Patrick and Sanders

Memorializing Congress to call a constitutional convention to require a balanced federal budget.

Referred to Committee on Constitution, Elections & Ethics.

HJM 36 by Representatives D. Nelson, Burns, Allen, Niemi, Jacobsen and Locke

Requesting Congress to delete draft-registration compliance statements as a prerequisite to student financial aid.

Referred to Committee on Higher Education.

HJR 48 by Representative Barnes

Changing the voting requirements for general obligation bonds.

Referred to Committee on Constitution, Elections & Ethics.

SSB 3098 by Committee on Local Government (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Providing for filling county freeholder vacancies.

Referred to Committee on Local Government.

SSB 3504 by Committee on Local Government (originally sponsored by Senators Owen and Zimmerman)

Modifying provisions on land classified for current use assessment.

Referred to Committee on Ways & Means.

ESSB 3616 by Committee on Parks & Ecology (originally sponsored by Senators Hughes, Hansen, Quigg, Rasmussen, Fuller, Peterson and Guess)

Modifying provisions governing air pollution emissions.

Referred to Committee on Environmental Affairs.

SSB 4111 by Committee on Judiciary (originally sponsored by Senators Hughes and Newhouse)

Changing provisions relating to sales under execution and redemption.

Referred to Committee on Judiciary.

MOTION

On motion of Mr. Heck, the bills, memorials and resolutions listed on today's introduction sheet were considered first reading under the fourth order of business and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 12, 1984

HB 1129 Prime Sponsor, Representative D. Nelson: Permitting cities and counties to decide not to include nuclear attack evacuation plans in their emergency service plans. Reported by Committee on State Government

MAJORITY recommendation: Do Pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Johnson, Kaiser, Lux, D. Nelson, Sayan, Silver, Walk and J. Williams.

Voting nay: Representatives Bond, Nealey and Taylor.

Absent: Representatives R. King and J. Williams.

Passed to Committee on Rules for second reading.

January 11, 1984

HB 1146 Prime Sponsor, Representative Walk: Enacting the department of transportation reference act of 1984. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Absent: Representatives Fisher, Hankins, Locke, McMullen, Vekich and J. Williams.

Passed to Committee on Rules for second reading.

January 12, 1984

HB 1159 Prime Sponsor, Representative Niemi: Establishing uniform compensation for boards and commissions. Reported by Committee on State Government

MAJORITY recommendation: Do Pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 12, 1984

HB 1160 Prime Sponsor, Representative Charnley: Modifying the powers of local governments. Reported by Committee on Local Government

MAJORITY recommendation: Do Pass. Signed by Representatives Moon, Chair; Allen, Ballard, Brough, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Haugen, Vice Chair; Brough and Chandler.

Passed to Committee on Rules for second reading.

January 11, 1984

HB 1192 Prime Sponsor, Representative Walk: Requiring notice to the department of transportation of short plats next to highway right of way. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 13 after "statement" strike all material through "highway" on line 17 and insert "outlining the effect the proposed subdivision may have upon the state highway"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Absent: Representatives Fisher, Locke, McMullen and J. Williams.

Passed to Committee on Rules for second reading.

January 11, 1984

HB 1210 Prime Sponsor, Representative Walk: Adding twelve civil service exempt positions for ferry management. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Absent: Representatives Fisher, Locke, McMullen and J. Williams.

Passed to Committee on Rules for second reading.

January 12, 1984

HB 1248 Prime Sponsor, Representative Vekich: Modifying procedures for discipline of state patrol officers. Reported by Committee on State Government

MAJORITY recommendation: Do Pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 12, 1984

HB 1253 Prime Sponsor, Representative Belcher: Creating an employee exchange program. Reported by Committee on State Government

MAJORITY recommendation: Do Pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, Lux, Nealey, D. Nelson, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 12, 1984

HJR 44 Prime Sponsor, Representative Charnley: Establishing procedures for the adoption of county home rule charters. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment: On page 2, beginning on line 17 strike "for approval or rejection by county voters"

Signed by Representatives Moon, Chair; Allen, Ballard, Brough, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Haugen, Vice Chair; Ballard, Broback, Chandler, Ebersole, Smitherman and Todd.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 823, by Committee on Ways & Means (originally sponsored by Representative Grimm)

Modifying provisions relating to claims against the state.

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

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 823, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 5; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher,

Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Brekke, Broback, King R, McClure, Todd - 5.

Excused: Representatives Stratton, Taylor, Wilson - 3.

Substitute House Bill No. 823, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1017, by Committee on Education (originally sponsored by Representative Galloway)

Changing the axle requirements for school buses.

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

Ms. Galloway spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1017, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Broback, King R, Todd - 3.

Excused: Representatives Stratton, Taylor, Wilson - 3.

Substitute House Bill No. 1017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 145, by Committee on Education (originally sponsored by Representatives Galloway, P. King, Dickie, Schoon, Struthers and Holland; by Superintendent of Public Instruction request)

Revising certain laws regulating common schools.

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

Ms. Galloway spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 145, and the bill passed the House by the following vote: Yeas, 91; nays, 2; absent, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Barnes, Bond - 2.

Absent: Representatives Broback, Todd - 2.

Excused: Representatives Stratton, Taylor, Wilson - 3.

Substitute House Bill No. 145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 71, by Committee on Ways & Means (originally sponsored by Representatives D. Nelson, Isaacson, Sutherland, Long, Gallagher and Allen)

Making the geothermal account not subject to appropriation.

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

Mr. D. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 71, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Broback, Todd - 2.

Excused: Representatives Stratton, Taylor, Wilson - 3.

Substitute House Bill No. 71, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 30, by Representatives D. Nelson and Isaacson

Petitioning Congress to designate the Hanford Reservation as a National Energy Center.

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

Representatives D. Nelson and Isaacson spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 30, and the memorial passed the House by the following vote: Yeas, 93; nays, 0; absent, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Broback, Todd - 2.

Excused: Representatives Stratton, Taylor, Wilson - 3.

House Joint Memorial No. 30, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 706, by Representatives Todd, Miller, Tilly, Lux, Isaacson, Garrett, Brough, Crane, McDonald, Walk, Taylor, Holland and Barrett

Requiring notice of taxes due on real property before assessing penalties for delinquent taxes.

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

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 706, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Broback - 1.

Excused: Representatives Stratton, Taylor, Wilson - 3.

Engrossed House Bill No. 706, having received the 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 669, by Representatives Lux, Rust, Charnley, Gallagher and R. King

Requiring public disclosure for records of handlers of hazardous wastes.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 669 was substituted for House Bill No. 669, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 669 was read the second time.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Van Dyken, Clayton, Patrick and Rust:

On page 2, line 8 after "subsection." insert the following new subsections:

"(4) Any materials exempt from public inspection pursuant to RCW 42.17.310 shall be kept confidential.

(5) This chapter shall not authorize use of information disclosed hereunder for commercial purposes. Use of information derived from records of handlers of hazardous wastes for commercial purposes shall subject the user and all persons participating in obtaining the information to civil action."

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

Representatives Lux and Patrick spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 34, by Representatives Belcher, Hine, Patrick, Brough, Betzoff, Crane, Halsan, Long, Miller, McMullen, Powers, Todd, Wang, Galloway, Schoon and Holland

Establishing a legislative committee to study the implementation of comparable worth.

The resolution was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. Belcher spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 34, and the resolution was adopted by the following vote: Yeas, 87; nays, 7; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Bond, Chandler, Dickie, Fuhrman, Hastings, Padden, Smith C - 7.

Absent: Representative Broback - 1.

Excused: Representatives Stratton, Taylor, Wilson - 3.

House Concurrent Resolution No. 34, having received the constitutional majority, was declared adopted.

HOUSE CONCURRENT RESOLUTION NO. 12, by Representatives R. King, Wang and D. Nelson

Requesting the establishment of the National Academy of Peace and Conflict Resolution.

The resolution was read the second time.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, this matter appears to be improperly before us. In the Joint Rules that we adopted just a few days ago, Rule 17 seems to clearly say that any message from this body to the Congress of the United States shall be presented as a joint memorial. As I read House Concurrent Resolution No. 12, it appears to be, in its final paragraph, a message directed to the Congress of the United States. It is definitely not a joint memorial. I would ask that you rule it out of order at the present time."

The Speaker: "Representative Barrett, the Speaker is going to hold this over and take it under advisement over the weekend. I will make a decision for you on Monday."

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Monday, January 16, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

EIGHTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, January 16, 1984

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative P. King, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sally Hayes and Tom Aeschliman. Prayer was offered by The Reverend Spencer Thomas, Jr., Minister of the Washington Park Baptist Church of Seattle.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-104, by Representatives Wang, O'Brien, Locke, Allen, Smitherman, Niemi, Lux, Jacobsen, Lewis, Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, January 15, 1984 is the fifty-fifth anniversary of The Reverend Dr. Martin Luther King, Jr., whose daily life demonstrated his love of God and mankind; and

WHEREAS, We, the members of the House of Representatives, are honored to be able to pay tribute to the memory of the Reverend Dr. Martin Luther King, Jr. who set an example of spirit and selfless conduct for all of us to emulate; and

WHEREAS, The Reverend Dr. Martin Luther King, Jr. devoted his life toward improving the lives of the oppressed and the poor in America, challenged injustices in our society, and endured great hardship to help each human being live in freedom and with dignity; and

WHEREAS, This esteemed citizen gave hope to millions by calling for the fulfillment of his dream, a dream depicting a world where prejudice, racial intolerance, poverty, hunger, and disease would be overcome; and

WHEREAS, The memory of Dr. King continually reminds us that our mutual obligation to provide the basic needs of the poor and disadvantaged must never be sacrificed to economic or selfish considerations; and

WHEREAS, Dr. King was acclaimed internationally and awarded the Nobel Peace Prize in recognition of his leadership in and dedication to the cause of achieving equal treatment for all persons through nonviolent methods; and

WHEREAS, This great American, champion of minorities and the oppressed and a guardian of freedom and humanity, while espousing his principles of pacifism was assassinated, an act which deeply grieved every citizen of this nation and the world; and

WHEREAS, We dreamed with him of a day when all people would know the satisfaction and dignity of productive work, and people continue to dream, as he dreamed "that one day this nation will rise up, and live out the true meaning of its creed: We hold these truths to be self-evident, that all men are created equal"; and

WHEREAS, The Congress of the United States has seen fit to honor Dr. King by creation of a permanent federal holiday to commemorate the anniversary of his birth on the 15th day of January of each year; and

WHEREAS, The citizens of the State of Washington are equally reverent of the memory of this man and should each year at this time be reminded and made aware of his achievements and work, which would be encouraged by the similar adoption of a legal holiday by the Washington State Legislature in honor of the Reverend Dr. Martin Luther King, Jr.;

NOW, THEREFORE, BE IT RESOLVED, That on this day, we, the members of the House of Representatives of the State of Washington, pause in our endeavors to pay homage to one of America's most honorable and honored citizens, the Reverend Dr. Martin Luther King, Jr., in order to call to the attention of the residents of this State Dr. King's wisdom and accomplishments and to rededicate ourselves to the pursuit of his principles of love, freedom, and equality for all; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House transmit a copy of this Resolution to the various organizations throughout the state which are dedicated to the achievement of racial equality.

Mr. Wang moved adoption of the resolution. Representatives Wang, Lewis and Allen spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Wang, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

January 13, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3074,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3152,
 SUBSTITUTE SENATE BILL NO. 3178,
 SECOND SUBSTITUTE SENATE BILL NO. 3187,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3259,
 ENGROSSED SENATE BILL NO. 3438,
 REENGROSSED SUBSTITUTE SENATE BILL NO. 3838,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1391 by Representatives Halsan, Tilly, Smitherman, G. Nelson, B. Williams, Stratton, Nealey, Wilson, Schoon, Haugen, Hastings, Tanner, Egger, Schmidt, Brough, J. Williams, Zellinsky, Miller and Cantu

AN ACT Relating to revenue and taxation; amending section 84.52.080, chapter 15, Laws of 1961 as amended by section 1, chapter 7, Laws of 1965 ex. sess. and RCW 84.52-.080; amending section 1, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.015; amending section 2, chapter 146, Laws of 1981 and RCW 84.33.074; amending section 6, chapter 134, Laws of 1980 and RCW 84.33.075; amending section 8, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.077; amending section 9, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.078; amending section 17, chapter 294, Laws of 1971 ex. sess. as amended by section 226, chapter 3, Laws of 1983 and RCW 84.33.170; amending section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200; adding new sections to chapter 84.28 RCW; adding new sections to chapter 84.33 RCW; creating new sections; repealing section 3, chapter 294, Laws of 1971 ex. sess., section 1, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.030; repealing section 4, chapter 294, Laws of 1971 ex. sess., section 7, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.040; repealing section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050; repealing section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060; repealing section 1, chapter 347, Laws of 1977 ex. sess., section 1, chapter 6, Laws of 1979, section 1, chapter 148, Laws of 1981, section 2, chapter 4, Laws of 1982 2nd ex. sess., section 59, chapter 3, Laws of 1983 2nd ex. sess. and RCW 84.33.071; repealing section 6, chapter 95, Laws of 1979 ex. sess. and RCW 84.33.072; repealing section 8,

chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-'76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981, section 1, chapter 8, Laws of 1983 and RCW 84.33.080; repealing section 5, chapter 4, Laws of 1981 and RCW 84.33.085; repealing section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33-.090; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1392 by Representatives Moon and Egger

AN ACT Relating to water and sewer connection charges; and amending section 35.92.025, chapter 7, Laws of 1965 and RCW 35.92.025.

Referred to Committee on Local Government.

HB 1393 by Representatives Appelwick, Locke and Niemi

AN ACT Relating to providing for prompt judicial review of governmental actions relating to the use of public facilities when First Amendment rights are affected; amending section 16, chapter 65, Laws of 1895 and RCW 7.16.160; adding a new section to chapter 7.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1394 by Representatives Sayan, R. King, D. Nelson and Vekich

AN ACT Relating to economic stability; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor.

HB 1395 by Representatives Sayan and Powers

AN ACT Relating to veterans; and amending section 1, chapter 16, Laws of 1949 as amended by section 1, chapter 89, Laws of 1967 and RCW 73.04.120.

Referred to Committee on Local Government.

HB 1396 by Representatives Locke, Niemi, Lux and Hankins

AN ACT Relating to the state investment board; and amending section 2, chapter 3, Laws of 1981 as amended by section 1, chapter 219, Laws of 1981 and RCW 43.33A.020.

Referred to Committee on State Government.

HB 1397 by Representative Moon

AN ACT Relating to taxes on transfers of real property; amending section 28A.45.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 93, Laws of 1981 and RCW 82.45.010; amending section 28A.45.030, chapter 223, Laws of 1969 ex. sess. and RCW 82.45.030; amending section 28A.45.080, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 154, Laws of 1980 and RCW 82.45.080; and adding new sections to chapter 82.45 RCW.

Referred to Committee on Ways & Means.

HB 1398 by Representatives Patrick, Fuhrman, Padden, B. Williams, Gallagher, Johnson, Sayan and Isaacson

AN ACT Relating to abortion; and adding a new section to chapter 9.02 RCW.

Referred to Committee on Judiciary.

HB 1399 by Representatives Padden, Patrick, L. Smith, B. Williams, Fuhrman, Johnson and Isaacson

AN ACT Relating to fetal pain; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Judiciary.

HB 1400 by Representatives Galloway, Dickie, Schoon, P. King, Heck, Taylor, Holland, Long, Egger, Betzoff and Powers

AN ACT Relating to associated student bodies; and amending section 1, chapter 52, Laws of 1973 as amended by section 3, chapter 284, Laws of 1975 1st ex. sess. and RCW 28A.58.115.

Referred to Committee on Education.

HB 1401 by Representatives Tilly, Dellwo, Padden, Locke, Taylor, Miller and D. Nelson

AN ACT Relating to victims of crimes; and amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 239, Laws of 1983 and RCW 7.68.020.

Referred to Committee on Judiciary.

HB 1402 by Representatives Powers, Belcher, Appelwick, R. King, Barrett, Tanner, Miller, Jacobsen, Sayan, Fisher, Todd, Allen, Zellinsky, Smitherman, Ebersole, Stratton, Ellis, Long, Van Dyken, Taylor, Wang, Holland, Kreidler and Egger

AN ACT Relating to the establishment of a training program for liquor licensees and their employees to be implemented and administered by the liquor control board; and adding a new section to chapter 66.08 RCW.

Referred to Committee on State Government.

HB 1403 by Representatives Charnley, Barnes, Rust, Jacobsen, Braddock, Appelwick, Crane, Hine, McClure, Monohon, Fisch, Walk, Smitherman, Todd, Powers, Vekich, Patrick, Holland, Sayan, Brough, Garrett, Brekke and Schoon

AN ACT Relating to certain publicly owned real property; amending section 2, chapter 200, Laws of 1971 ex. sess. as last amended by section 1, chapter 31, Laws of 1982 1st ex. sess. and RCW 79.01.770; amending section 54, chapter 255, Laws of 1927 as last amended by section 159, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.01.216; amending section 5, chapter 200, Laws of 1971 ex. sess. and RCW 79.01.780; amending section 3, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.774; amending section 205, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 217, chapter 57, Laws of 1983 1st ex. sess. (uncodified); creating new sections; adding a new section to chapter 79.01 RCW; making appropriations; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 1404 by Representatives Smitherman, Ebersole, Brough, Charnley, Egger, Allen, Hine, Haugen, Garrett, Todd, Grimm, Moon and Powers

AN ACT Relating to fire protection services; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Local Government.

HB 1405 by Representatives Fuhrman, Padden, Patrick, Chandler, Smitherman, Nealey, Stratton, Hastings, Ballard, Van Dyken, Van Luven, Bond, Egger, Barrett, Gallagher, Johnson, Sayan and Isaacson

AN ACT Relating to parental consent for abortions; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1406 by Representatives Moon and Allen

AN ACT Relating to public utility districts; amending section 2, chapter 124, Laws of 1955 as amended by section 4, chapter 220, Laws of 1971 ex. sess. and RCW 54.04.070; amending section 3, chapter 124, Laws of 1955 as last amended by section 1, chapter 41, Laws of 1972 ex. sess. and RCW 54.04.080; amending section 2, chapter 220, Laws of 1971 ex. sess. and RCW 54.04.085; and adding new sections to chapter 54.04 RCW.

Referred to Committee on Local Government.

HB 1407 by Representatives Tanner, L. Smith and B. Williams

AN ACT Relating to forest products; amending section 1, chapter 154, Laws of 1925 ex. sess. and RCW 76.36.010; amending section 2, chapter 154, Laws of 1925 ex. sess. and RCW 76.36.020; amending section 6, chapter 154, Laws of 1925 ex. sess. as amended by section 4, chapter 36, Laws of 1957 and RCW 76.36.060; amending section 7, chapter 154,

Laws of 1925 ex. sess. as amended by section 5, chapter 36, Laws of 1957 and RCW 76.36.070; amending section 9, chapter 154, Laws of 1925 ex. sess. as amended by section 6, chapter 36, Laws of 1957 and RCW 76.36.090; amending section 11, chapter 154, Laws of 1925 ex. sess. and RCW 76.36.110; amending section 10, chapter 36, Laws of 1957 and RCW 76.36.160; amending section 1, chapter 182, Laws of 1957 and RCW 76.40.010; amending section 2, chapter 140, Laws of 1953 as amended by section 1, chapter 108, Laws of 1955 and RCW 76.40.012; amending section 9, chapter 182, Laws of 1957 and RCW 76.40.013; amending section 1, chapter 116, Laws of 1947 as last amended by section 2, chapter 182, Laws of 1957 and RCW 76.40.020; amending section 3, chapter 116, Laws of 1947 as last amended by section 13, chapter 67, Laws of 1979 ex. sess. and RCW 76.40.030; amending section 4, chapter 116, Laws of 1947 as amended by section 4, chapter 182, Laws of 1957 and RCW 76.40.040; amending section 5, chapter 116, Laws of 1947 as last amended by section 5, chapter 182, Laws of 1957 and RCW 76.40.050; amending section 8, chapter 116, Laws of 1947 as amended by section 6, chapter 182, Laws of 1957 and RCW 76.40.070; amending section 9, chapter 116, Laws of 1947 and RCW 76.40.080; amending section 11, chapter 116, Laws of 1947 and RCW 76.40.100; amending section 14, chapter 116, Laws of 1947 and RCW 76.40.120; adding a new section to chapter 154, Laws of 1925 ex. sess. and to chapter 76.36 RCW; adding new sections to chapter 116, Laws of 1947 and to chapter 76.40 RCW; repealing section 3, chapter 154, Laws of 1925 ex. sess., section 1, chapter 36, Laws of 1957 and RCW 76.36.030; repealing section 4, chapter 154, Laws of 1925 ex. sess., section 2, chapter 36, Laws of 1957 and RCW 76.36.040; repealing section 5, chapter 154, Laws of 1925 ex. sess., section 3, chapter 36, Laws of 1957 and RCW 76.36.050; repealing section 1, chapter 216, Laws of 1949, section 9, chapter 36, Laws of 1957 and RCW 76.36.150; repealing section 3, chapter 140, Laws of 1953 and RCW 76.40.122; repealing section 4, chapter 140, Laws of 1953 and RCW 76.40.124; repealing section 5, chapter 140, Laws of 1953, section 6, chapter 108, Laws of 1955 and RCW 76.40.125; repealing section 6, chapter 140, Laws of 1953, section 7, chapter 108, Laws of 1955, section 8, chapter 182, Laws of 1957 and RCW 76.40.127; and repealing section 7, chapter 140, Laws of 1953, section 8, chapter 108, Laws of 1955 and RCW 76.40.128.

Referred to Committee on Natural Resources.

HB 1408 by Representatives Grimm, Fisher, Ebersole, Smitherman, Wang, Brough, Johnson, Crane and Powers

AN ACT Relating to cities and towns; adding a new section to chapter 35.21 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 1409 by Representative Prince

AN ACT Relating to driving records; and amending section 46.52.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 52, Laws of 1982 and RCW 46.52.120.

Referred to Committee on Transportation.

HB 1410 by Representatives McMullen and J. King

AN ACT Relating to the office of financial management; amending section 2, chapter 239, Laws of 1969 ex. sess. as amended by section 110, chapter 151, Laws of 1979 and RCW 43.41.040; adding a new section to chapter 43.41 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1411 by Representatives Nealey, Zellinsky, Schoon, Egger, Padden, Bond, C. Smith, Wilson, Clayton, West, Barrett, Lewis, Betrozoff, Chandler, Fiske, Hastings, Mitchell, Tilly, Dickie, Fuhrman, Long, Sanders, Broback, Ballard, Miller, Isaacson and Silver

AN ACT Relating to excise taxes; amending section 82.08.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.08.010; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1412 by Representatives Niemi, Halsan and Appelwick

AN ACT Relating to actions for damages resulting from health care; and amending section 1, chapter 80, Laws of 1971 as amended by section 1, chapter 56, Laws of 1975-76 2nd ex. sess. and RCW 4.16.350.

Referred to Committee on Judiciary.

HB 1413 by Representatives Walk and Egger

AN ACT Relating to rail transportation; amending section 81.04.130, chapter 14, Laws of 1961 and RCW 81.04.130; amending section 81.04.150, chapter 14, Laws of 1961 and RCW 81.04.150; amending section 81.04.250, chapter 14, Laws of 1961 and RCW 81.04.250; amending section 81.28.040, chapter 14, Laws of 1961 and RCW 81.28.040; amending section 81.28.050, chapter 14, Laws of 1961 as amended by section 1, chapter 116, Laws of 1981 and RCW 81.28.050; amending section 81.28.180, chapter 14, Laws of 1961 and RCW 81.28.180; amending section 81.28.190, chapter 14, Laws of 1961 and RCW 81.28.190; amending section 81.28.200, chapter 14, Laws of 1961 and RCW 81.28.200; amending section 81.28.230, chapter 14, Laws of 1961 and RCW 81.28.230; amending section 31, chapter 1, Laws of 1973 as last amended by section 10, chapter 133, Laws of 1983 and RCW 42.17-.310; and creating a new chapter in Title 81 RCW.

Referred to Committee on Transportation.

HB 1414 by Representatives Charnley, Nealey, Egger, Walk, Fuhrman, Schoon, Johnson, Ballard, Brough and Silver

AN ACT Relating to the office of county sheriff; adding new sections to chapter 36.28 RCW; and repealing section 6, chapter 153, Laws of 1979 ex. sess. and RCW 36.28.025.

Referred to Committee on Local Government.

HB 1415 by Representatives Miller, Heck, Pruitt, Allen, Vander Stoep, Johnson, Patrick and Long (by Secretary of State request)

AN ACT Relating to local voters' pamphlets; adding new sections to chapter 29.01 RCW; creating a new chapter in Title 29 RCW; and providing an effective date.

Referred to Committee on Constitution, Elections & Ethics.

HB 1416 by Representatives P. King, Dickie, Ebersole and Long (by Superintendent of Public Instruction, by State Board of Education request)

AN ACT Relating to physical education in the public schools; amending section 28A-.05.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.05.030; and amending section 28A.05.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.05.040.

Referred to Committee on Education.

HB 1417 by Representatives Monohon and Johnson (by Office of Financial Management request)

AN ACT Relating to state employees' insurance; and amending section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 91, chapter 3, Laws of 1983 and RCW 41.05.025.

Referred to Committee on Ways & Means.

HB 1418 by Representatives Lux, Sanders, Dickie, P. King and Long

AN ACT Relating to discriminatory practices; and amending section 6, chapter 141, Laws of 1973 as last amended by section 6, chapter 127, Laws of 1979 and RCW 49.60.178.

Referred to Committee on Financial Institutions & Insurance.

HB 1419 by Representative Lux

AN ACT Relating to state employee group insurance programs; and amending section 9, chapter 2, Laws of 1983 as amended by section 20, chapter 15, Laws of 1983 and RCW 41.05.050.

Referred to Committee on Financial Institutions & Insurance.

HB 1420 by Representatives Wang and Miller (by Attorney General request)

AN ACT Relating to meat sales; adding new sections to chapter 19.94 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1421 by Representatives Dellwo, Barrett, Stratton, Silver, Egger, Bond, Tilly, Taylor, Armstrong, West, Grimm, Broback, Todd, Miller, D. Nelson, Isaacson and Powers

AN ACT Relating to driving under the influence of liquor or drugs; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 21, chapter 165, Laws of 1983 and RCW 46.61.515; creating a new chapter in Title 36 RCW; adding a new section to

chapter 43.59 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 1422 by Representatives Burns, McMullen, Grimm, Jacobsen, Holland, D. Nelson, Addison, Locke, Miller, Ebersole, Tanner, Sutherland, Fisher, Armstrong, Hine, Todd, Wang and Niemi

AN ACT Relating to higher education; amending section 28B.20.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 103, Laws of 1979 ex. sess. and RCW 28B.20.100; amending section 28B.30.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 103, Laws of 1979 ex. sess. and RCW 28B.30.100; amending section 45, chapter 169, Laws of 1977 ex. sess. as amended by section 4, chapter 103, Laws of 1979 ex. sess. and RCW 28B.35.100; amending section 28B.40.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 5, chapter 103, Laws of 1979 ex. sess. and RCW 28B.40.100; amending section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 224, Laws of 1983 and RCW 28B.50.100; amending section 28B.50.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 75, Laws of 1977 and RCW 28B.50.130; and providing an effective date.

Referred to Committee on Higher Education.

HB 1423 by Representatives Sanders, Lux, Zellinsky, Kreidler, Hankins, West, Wang, Ballard, Crane, Galloway, Monohon, Johnson, Dickie, P. King, Garrett, Broback, Van Luven and Long

AN ACT Relating to property insurance; amending section .27.01, chapter 79, Laws of 1947 and RCW 48.27.010; and amending section 20, chapter 193, Laws of 1957 as amended by section 1, chapter 61, Laws of 1977 and RCW 48.30.260.

Referred to Committee on Financial Institutions & Insurance.

HB 1424 by Representatives Grimm, McClure, Sayan, Heck, Appelwick, Sommers, Jacobsen, Monohon, Vekich, Braddock, Rust, Hine, Fisch, Todd, Kreidler, Egger, Crane and Powers

AN ACT Relating to small-scale timber harvesters; amending section 2, chapter 146, Laws of 1981 and RCW 84.33.074; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1425 by Representatives Van Dyken, Kaiser and C. Smith

AN ACT Relating to milk and milk products; amending section 15.36.120, chapter 11, Laws of 1961 as amended by section 2, chapter 297, Laws of 1981 and RCW 15.36.120; amending section 15.36.140, chapter 11, Laws of 1961 as amended by section 3, chapter 297, Laws of 1981 and RCW 15.36.140; amending section 15.36.260, chapter 11, Laws of 1961 and RCW 15.36.260; adding a new section to chapter 15.36 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

HB 1426 by Representatives Rust, D. Nelson and B. Williams

AN ACT Relating to the model litter control and recycling act; amending section 3, chapter 307, Laws of 1971 ex. sess. as amended by section 3, chapter 94, Laws of 1979 and RCW 70.93.030; amending section 13, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.130; amending section 9, chapter 94, Laws of 1979 and RCW 70.93.194; amending section 20, chapter 307, Laws of 1971 ex. sess. as amended by section 7, chapter 94, Laws of 1979 and RCW 70.93.200; adding new sections to chapter 43.131 RCW; creating a new section; repealing section 1, chapter 307, Laws of 1971 ex. sess., section 1, chapter 94, Laws of 1979 and RCW 70.93.010; repealing section 2, chapter 307, Laws of 1971 ex. sess., section 7, chapter 41, Laws of 1975-76 2nd ex. sess., section 2, chapter 94, Laws of 1979 and RCW 70.93.020; repealing section 3, chapter 307, Laws of 1971 ex. sess., section 3, chapter 94, Laws of 1979, section 1 of this act and RCW 70.93.030; repealing section 4, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.040; repealing section 5, chapter 307, Laws of 1971 ex. sess., section 4, chapter 94, Laws of 1979, section 132, chapter 78, Laws of 1980 and RCW 70.93.050; repealing section 6, chapter 307, Laws of 1971 ex. sess., section 1, chapter 39, Laws of 1979 ex. sess., section 1, chapter 277, Laws of 1983 and RCW 70.93.060; repealing section 7, chapter 307, Laws of 1971 ex. sess., section 2, chapter 277, Laws of 1983 and RCW 70.93.070; repealing section 8, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.080; repealing section 9, chapter 307, Laws of 1971 ex. sess., section 5, chapter 94, Laws of 1979 and RCW 70.93.090; repealing section 15, chapter 260, Laws of 1981 and RCW 70.93.100; repealing section 11, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.110; repealing

section 12, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.120; repealing section 13, chapter 307, Laws of 1971 ex. sess., section 2 of this act and RCW 70.93.130; repealing section 14, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.140; repealing section 15, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.150; repealing section 16, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.160; repealing section 17, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.170; repealing section 18, chapter 307, Laws of 1971 ex. sess., section 3, chapter 277, Laws of 1983 and RCW 70.93.180; repealing section 9, chapter 94, Laws of 1979, section 3 of this act and RCW 70.93.194; repealing section 20, chapter 307, Laws of 1971 ex. sess., section 7, chapter 94, Laws of 1979, section 4 of this act and RCW 70.93.200; repealing section 21, chapter 307, Laws of 1971 ex. sess., section 8, chapter 94, Laws of 1979 and RCW 70.93.210; repealing section 23, chapter 307, Laws of 1971 ex. sess., section 4, chapter 277, Laws of 1983 and RCW 70.93.230; repealing section 25, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.900; repealing section 27, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.910; repealing section 11, chapter 94, Laws of 1979 and RCW 70.93.920; and providing an effective date.

Referred to Committee on Environmental Affairs.

HB 1427 by Representatives Sutherland, Patrick, West, Wang, Gallagher, R. King, Fisher, Walk and Hankins

AN ACT Relating to motor vehicles using alternative fuel sources; and amending section 2, chapter 237, Laws of 1983 and RCW 46.37.....

Referred to Committee on Transportation.

HB 1428 by Representatives Dellwo, Jacobsen, Pruitt, Egger and Appelwick

AN ACT Relating to mental health; and adding new sections to chapter 71.05 RCW.

Referred to Committee on Social & Health Services.

HB 1429 by Representatives Grimm, Sommers and Hine

AN ACT Relating to the consolidation of the reforestation land tax systems; adding new sections to chapter 84.28 RCW; and creating new sections.

Referred to Committee on Ways & Means.

HB 1430 by Representatives Sanders, Lux, Ballard, P. King, West, Vekich, Wang, Crane, Zellinsky, Johnson, Garrett, Hankins, Galloway, Miller, Cantu and Egger

AN ACT Relating to financial institutions; amending section 11, chapter 301, Laws of 1977 ex. sess. and RCW 30.04.505; and amending section 12, chapter 301, Laws of 1977 ex. sess. and RCW 30.04.510.

Referred to Committee on Financial Institutions & Insurance.

HB 1431 by Representatives Armstrong, Mitchell, D. Nelson, Locke, Nealey, Miller, Vekich, Pruitt, Wang, Halsan and Crane

AN ACT Relating to disclosures about telecommunications equipment; adding a new chapter to Title 19 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 1432 by Representatives Ebersole, Vekich, Struthers, Todd, Dellwo, Kaiser, Sanders and Mitchell

AN ACT Relating to veterans; amending section 1, chapter 189, Laws of 1945 as last amended by section 1, chapter 170, Laws of 1974 ex. sess. and RCW 41.04.010; and amending section 4, chapter 53, Laws of 1982 1st ex. sess. as amended by section 5, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.150.

Referred to Committee on State Government.

HB 1433 by Representatives Pruitt, Zellinsky, Patrick, Sanders, Walk, Haugen, Lewis, Stratton, Barrett, Holland, Miller and Isaacson

AN ACT Relating to child custody and support; amending section 22, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.220; amending section 23, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.230; adding new sections to chapter 26.09 RCW; adding new sections to chapter 9A.64 RCW; repealing section 13, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.130; repealing section 19, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.190; repealing section 25, chapter 157, Laws of 1973 1st ex. sess. and RCW

26.09.250; repealing section 26, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.260; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 1434 by Representatives Pruitt, Lewis, Walk and Haugen

AN ACT Relating to domestic relations; amending section 1, chapter 50, Laws of 1949 as amended by section 1, chapter 219, Laws of 1983 and RCW 26.12.010; amending section 2, chapter 50, Laws of 1949 and RCW 26.12.020; amending section 3, chapter 50, Laws of 1949 and RCW 26.12.030; amending section 4, chapter 50, Laws of 1949 and RCW 26.12.040; amending section 5, chapter 50, Laws of 1949 as amended by section 1, chapter 83, Laws of 1965 ex. sess. and RCW 26.12.050; amending section 6, chapter 50, Laws of 1949 and RCW 26.12.060; amending section 7, chapter 50, Laws of 1949 and RCW 26.12.070; amending section 9, chapter 50, Laws of 1949 as amended by section 2, chapter 219, Laws of 1983 and RCW 26.12.090; amending section 10, chapter 50, Laws of 1949 as amended by section 3, chapter 219, Laws of 1983 and RCW 26.12.100; amending section 11, chapter 50, Laws of 1949 and RCW 26.12.110; amending section 12, chapter 50, Laws of 1949 as amended by section 4, chapter 219, Laws of 1983 and RCW 26.12.120; amending section 13, chapter 50, Laws of 1949 and RCW 26.12.130; amending section 16, chapter 50, Laws of 1949 and RCW 26.12.160; amending section 19, chapter 50, Laws of 1949 as amended by section 7, chapter 219, Laws of 1983 and RCW 26.12.190; amending section 20, chapter 50, Laws of 1949 as amended by section 8, chapter 219, Laws of 1983 and RCW 26.12.200; amending section 21, chapter 50, Laws of 1949 as amended by section 9, chapter 219, Laws of 1983 and RCW 26.12.210; amending section 1, chapter 124, Laws of 1980 and RCW 26.12.220; amending section 3, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.030; amending section 5, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.230; amending section 1, chapter 38, Laws of 1973 as last amended by section 5, chapter 330, Laws of 1981 and RCW 36.18.020; adding a new section to chapter 26.09 RCW; adding new sections to chapter 26.12 RCW; repealing section 8, chapter 50, Laws of 1949 and RCW 26.12.080; and providing an effective date.

Referred to Committee on Judiciary.

HB 1435 by Representative Hankins

AN ACT Relating to consolidation of cities; amending section 35.10.200, chapter 7, Laws of 1965 as amended by section 1, chapter 89, Laws of 1969 ex. sess. and RCW 35.10.200; amending section 3, chapter 89, Laws of 1969 ex. sess. and RCW 35.10.215; amending section 1, chapter 73, Laws of 1967 and RCW 35.14.010; amending section 2, chapter 73, Laws of 1967 and RCW 35.14.020; and declaring an emergency.

Referred to Committee on Local Government.

HB 1436 by Representative Lux

AN ACT Relating to dangerous wastes; adding a new section to chapter 70.105 RCW; and providing an effective date.

Referred to Committee on Environmental Affairs.

HB 1437 by Representatives P. King, Tilly and Ellis

AN ACT Relating to superior court civil procedure; and adding new sections to chapter 4.44 RCW.

Referred to Committee on Judiciary.

HB 1438 by Representatives Brekke, Patrick, Rust and Allen

AN ACT Relating to dangerous wastes; amending section 2, chapter 70, Laws of 1983 1st ex. sess. and RCW 70.105.160; and adding a new section to chapter 70.105 RCW.

Referred to Committee on Environmental Affairs.

HB 1439 by Representatives Fisch, R. King, Barnes, Patrick, Dellwo, Fisher, Sayan and Long

AN ACT Relating to unemployment compensation for educational employees who lack reasonable assurance of employment; and adding a new section to chapter 50.44 RCW.

Referred to Committee on Labor.

HB 1440 by Representatives Stratton, Mitchell, Barrett, Patrick, Dellwo, Taylor, B. Williams, Dickie, L. Smith, C. Smith, Long, Ballard, Egger, Silver and Powers

AN ACT Relating to drug use; and adding new sections to chapter 18.64 RCW.

Referred to Committee on Social & Health Services.

HB 1441 by Representatives Taylor, Padden, Patrick, Egger and Silver

AN ACT Relating to admissibility of evidence in criminal proceedings; and adding a new section to chapter 10.58 RCW.

Referred to Committee on Judiciary.

HB 1442 by Representatives Grimm, Jacobsen and Moon

AN ACT Relating to forest land valuation; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 148, Laws of 1981 and RCW 84.33.120; and declaring an emergency.

Referred to Committee on Ways & Means.

HJM 37 by Representatives D. Nelson, Kreidler, Belcher, Allen, Niemi, Miller, Pruitt, Lux, Locke, Lewis, Dellwo, Wang, Ellis and Jacobsen

Requesting the United States grant safe haven status to refugees from El Salvador and Guatemala.

Referred to Committee on Constitution, Elections & Ethics.

HJM 38 by Representatives D. Nelson, Belcher, Kreidler, Niemi, Pruitt, Lux, Locke, Dellwo, Wang, Jacobsen and Brekke

Requesting modification of the U.S. foreign policy in Central America.

Referred to Committee on Constitution, Elections & Ethics.

ESSB 3074 by Committee on Social & Health Services (originally sponsored by Senators Moore, Jones and McManus)

Requiring licensure of occupational therapists.

Referred to Committee on Social & Health Services.

ESSB 3152 by Committee on Energy & Utilities (originally sponsored by Senator Hurley)

Requiring the preparation of a long-range plan for the state leased land on the Hanford reservation.

Referred to Committee on Energy & Utilities.

SSB 3178 by Committee on Local Government (originally sponsored by Senators Bauer, Zimmerman and Rinehart)

Authorizing the late payment of taxes.

Referred to Committee on Local Government.

2SSB 3187 by Committee on Ways & Means (originally sponsored by Senators Bottiger, McDermott and Vogndil)

Imposing an excise tax on the severance of minerals.

Referred to Committee on Ways & Means.

ESSB 3259 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Shinpoch, Woody, Rinehart, Hurley and Moore)

Requiring executive boards of operating agencies to file reports with the public disclosure commission.

Referred to Committee on Constitution, Elections & Ethics.

ESB 3438 by Senators McDermott, Bluechel and Rinehart

Exempting property used for homeless shelters from property taxation.

Referred to Committee on Ways & Means.

ReESSB 3838 by Committee on Social & Health Services (originally sponsored by Senators McManus, Taimadge, Rinehart, Moore, Woody, Fleming, Metcalf, Quigg and Deccio)

Providing for the licensing of social workers.

Referred to Committee on Social & Health Services.

MOTION

On motion of Mr. Heck, the bills and memorials listed on today's introduction sheet were considered first reading under the fourth order of business and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 13, 1984

ESHB 480 Prime Sponsor, Committee on Natural Resources: Modifying the provisions regulating surface mines. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 6, beginning on line 20 after "the" strike all material through "shall" on line 22 and insert "general fund to"

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Fuhrman, Haugen, Isaacson, Miller, Mitchell, Sanders, Sayan, L. Smith, Sommers, Sutherland, Vekich and B. Williams.

Absent: Representatives Johnson, McMullen and Wilson.

Passed to Committee on Rules for second reading.

January 12, 1984

HB 1101 Prime Sponsor, Representative Tilly: Permitting persons hospitalized on election day to vote by absentee ballot. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Patrick, Schoon, Scott, Vander Stoep and Zellinsky.

Absent: Representatives Miller and Sommers.

Passed to Committee on Rules for second reading.

January 13, 1984

HB 1156 Prime Sponsor, Representative Grimm: Adopting the supplemental budget. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, G. Nelson, Struthers and Taylor.

Voting nay: Representatives Addison, Bond, Cantu, Fiske, Hastings, G. Nelson, Sanders, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

January 13, 1984

HB 1157 Prime Sponsor, Representative Grimm: Adopting the supplemental capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sanders, Sayan, Smitherman, Taylor and Tilly.

Voting nay: Representatives Hastings, G. Nelson, Struthers and Vander Sloep.

Passed to Committee on Rules for second reading.

January 13, 1984

HB 1162 Prime Sponsor, Representative Stratton: Correcting double amendments and making other technical corrections in the fisheries code. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fuhrman, Haugen, Isaacson, Miller, Mitchell, Sanders, Sayan, L. Smith, Sommers, Sutherland, Tanner, Vekich and B. Williams.

Absent: Representatives Johnson, McMullen and Wilson.

Passed to Committee on Rules for second reading.

January 12, 1984

HB 1213 Prime Sponsor, Representative Armstrong: Reorganizing and revising Washington trust law. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, L. Smith, Tilly, Wang and West.

Absent: Representatives McMullen, Vice Chair; and Fiske.

Passed to Committee on Rules for second reading.

January 13, 1984

HB 1231 Prime Sponsor, Representative Belcher: Modifying provisions relating to aquatic lands. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Fuhrman, Haugen, Isaacson, Johnson, P. King, McClure, Miller, Mitchell, Sanders, Sayan, L. Smith, Sommers, Sutherland, Tanner, Vekich and B. Williams.

Absent: Representative Wilson.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Wang, the House advanced to the seventh order of business.

THIRD READING

On motion of Mr. Wang, ENGROSSED SUBSTITUTE HOUSE BILL NO. 79 was rereferred from the third reading calendar to Committee on Rules.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 626, by Committee on Judiciary (originally sponsored by Representative Grimm)

Modifying provisions concerning adoption.

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

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 626, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly,

Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King P - 1.

Engrossed Substitute House Bill No. 626, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 255, by Committee on Ways & Means (originally sponsored by Representatives Sommers, Tilly, Braddock, Struthers, Rust, Brekke, Vander Stoep, Fiske, Appelwick, Stratton, J. King, Halsan, Jacobsen, Locke, Lux, Haugen and Ristuben)

Modifying provisions on watercraft registration and taxation.

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

Representatives Sommers and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 255, and the bill passed the House by the following vote: Yeas, 78; nays, 19; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Betzoff, Bond, Fuhrman, Hastings, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Smith L, Tanner, Taylor, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 19.

Excused: Representative King P - 1.

Engrossed Substitute House Bill No. 255, having received the 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 would like my vote changed from "Yea" to "Nay" on Engrossed Substitute House Bill No. 255.

DARWIN NEALEY, 9th District.

SUBSTITUTE HOUSE BILL NO. 699, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives D. Nelson, Pruitt and Barnes)

Facilitating citizen participation in the political process.

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

Mr. D. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 699, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King P - 1.

Substitute House Bill No. 699, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 843, by Committee on Ways & Means (originally sponsored by Representatives Monohon, B. Williams, Sommers and Grimm)

Modifying provisions relating to retirement from public services.

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

Representatives Monohon and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 843, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King P - 1.

Substitute House Bill No. 843, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 827, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Pruitt, Lewis, Belcher, Long, Miller, Tilly, Halsan and Silver; by Secretary of State request)

Prohibiting counterfeit voters' and candidates' pamphlets.

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

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 827, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Absent: Representatives Garrett, O'Brien, and Mr. Speaker - 3.

Excused: Representative King P - 1.

Substitute House Bill No. 827, having received the 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 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 29, by Committee on Education (originally sponsored by Representatives Haugen, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charnley, Brekke, Taylor, Rust, Powers and Johnson)

Removing forty percent validation requirement for excess levy elections.

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

Ms. Haugen spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Joint Resolution No. 29, and the resolution passed the House by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Addison, Barnes, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Nelson G, Padden, Patrick, Schmidt, Smith C, Tilly, Williams J, Wilson - 17.

Excused: Representative King P - 1.

Second Substitute House Joint Resolution No. 29, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 12, by Representatives R. King, Wang and D. Nelson

Requesting the establishment of the National Academy of Peace and Conflict Resolution.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Point of Order raised by Representative Barrett.

With the consent of the House, Mr. Barrett withdrew the Point of Order.

The resolution was rereferred to Committee on Rules.

On motion of Mr. Wang, HOUSE BILL NO. 1104 was rereferred from the second reading calendar to Committee on Rules.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 448, by Committee on Social & Health Services (originally sponsored by Representatives Todd, Addison, Belcher, Lewis, D. Nelson, McDonald, Mitchell, Brekke, Ballard, Johnson, Crane, Lux, Charnley, McMullen, Fisher, Ebersole, Holland, Wang, Patrick, Garrett, Taylor, Jacobsen, Miller, Silver and Brough)

Modifying the disabled parking laws.

The bill was read the second time. On motion of Mr. Kreidler, Second Substitute House Bill No. 448 was substituted for Engrossed Substitute House Bill No. 448, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 448 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1179, by Representatives Kreidler, Dellwo, Lewis, Stratton, Ballard, Fiske, B. Williams and West

Providing assessment procedures for the cost analysis of mandated health benefits.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1179 was substituted for House Bill No. 1179, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1179 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1133, by Representatives Sommers, Long, Jacobsen, Fisher, Miller, Barnes, Pruitt, Schoon, Patrick, Wang, Todd and Lux

Specifying requirements for political advertising.

The bill was read the second time.

Ms. Miller moved adoption of the following amendment by Representatives Miller, Zellinsky, Barnes and Long:

On page 2, line 1 after "organization," insert "If any political advertising contains a claim of support or endorsement granted more than one year before the election for which the advertising is sponsored, the year that the support or endorsement was granted shall appear with the claim in the advertising."

Representatives Miller, Zellinsky, Struthers and Barnes spoke in favor of the amendment, and Representatives Pruitt and Sommers spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller and others to House Bill No. 1133, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 49.

Excused: Representative King P - 1.

Committee on Constitution, Elections & Ethics recommendation: majority, do pass with the following amendment:

On page 1, at the beginning of line 21 strike "five" and insert "two"

Mr. Pruitt moved adoption of the committee amendment, and spoke against its passage.

Mr. Vander Stoep spoke in favor of the committee amendment, and Representatives Addison and Barnes spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to House Bill No. 1133, and the amendment was not adopted by the following vote: Yeas, 27; nays, 70; excused, 1.

Voting yea: Representatives Allen, Ballard, Betzoff, Broback, Cantu, Charnley, Fisch, Fiske, Hankins, Holland, Isaacson, Jacobsen, Johnson, Long, McMullen, Mitchell, Nelson D, Nelson G, Patrick, Schmidt, Schoon, Scott, Struthers, Taylor, Tilly, Vander Stoep, Vekich - 27.

Voting nay: Representatives Addison, Appelwick, Armstrong, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Brough, Burns, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Kaiser, King J, King R, Kreidler, Lewis, Locke, Lux, McClure, Miller, Monohon, Moon, Nealey, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Van Luven, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 70.

Excused: Representative King P - 1.

Mr. G. Nelson moved adoption of the following amendment:

On page 2, after line 9 insert the following:

"NEW SECTION. Sec. 4. There is added to chapter 29.85 RCW a new section to read as follows:

A person who removes or defaces lawfully placed political advertising including yard signs or billboards without authorization is guilty of a misdemeanor under chapter 9A.20 RCW. The defacement or removal of each item constitutes a separate violation."

Renumber the remaining sections and correct any internal references.

Representatives G. Nelson and Patrick spoke in favor of the amendment, and Mr. Pruitt spoke against it.

POINT OF INQUIRY

Mr. G. Nelson yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Nelson, with your amendment how would you deal with the casual thing, which I don't particularly object to, where people go through and do some decorating on the signs as opposed to the malicious tearing down of signs or spray painting over the signs?"

Mr. G. Nelson: "The court has the availability and the opportunity under RCW 9.92.060 actually to suspend the sentence and certainly to make it punitive for the infrequent situations of kids going down the block and knocking over signs, some of which may accidentally tear or doing something else. The court can, at the time of the hearing or the time of imposing sentence, direct such a sentence to be suspended until otherwise ordered by such court and the person is placed under the charge of a parole or beat officer or parents, so we are not looking at this amendment to try and punish kids who go through and do this kind of damage as a kind of prank. What the intent of the amendment is, is now to cover the situation as described by other members of this body, of somebody deliberately going out of the way and painting over signs or chopping them up or stealing them and putting them on notice that, yes, they can be cited with a misdemeanor."

Ms. Schmidt spoke in favor of the amendment.

Mr. Barrett demanded an electric roll call vote and the demand was sustained.

Representatives Ebersole and Addison spoke in favor of the amendment, and Mr. Locke spoke against it.

POINT OF INQUIRY

Mr. Locke yielded to question by Ms. Long.

Ms. Long: "Representative Locke, did the statute provide for any exclusions? Is there a requirement that signs have to be on private property in order for those laws to be applicable?"

Mr. Locke: "No. In fact, I will read the definition of 'malicious mischief in the third degree' to you. It says, 'A person is guilty of malicious mischief in the third degree if he knowingly and maliciously causes physical damage to the property of another under circumstances not amounting to malicious mischief in the first or second degree.' When they say 'under circumstances not amounting to malicious mischief in the first or second degree,' that's essentially the value of the property. Malicious mischief in the third degree is a gross misdemeanor. This is stronger than the penalty advocated by the amendment. If the damage to the property is an amount exceeding fifty dollars it is a misdemeanor. Chapter 9A.48.100(2) allows that the value of all the property be abrogated so that you can, in fact, have more than fifty or more than two hundred fifty dollars and then you are into the penalty situation. It specifically talks about allowing that if a person is going around tearing down a hundred yard signs and the value of each yard sign is only three dollars, if you abrogate all of them, it's three hundred dollars; then you would be able to charge a felony. In all of these schemes, whether it's the proposed amendment or malicious mischief, statutes now exist. It really depends on the police to catch the people or the property owners or the candidates to report the culprits to the proper authority because if they are not reported, if they are not identified, nobody can prosecute whether it's the fair election committee or the city attorney or the county police."

Mr. G. Nelson spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. G. Nelson yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Nelson, near the end of the amendment it says, 'The defacement or removal of each item constitutes a separate violation.' As I read the amendment, every sign would carry with it a misdemeanor penalty. Assuming somebody was out rounding up an opponent's yard signs and had

twenty-five or fifty of them in a pickup truck, how much would that person have to either pay in fine or spend in jail to pay the penalty?"

Mr. G. Nelson: "Representative Nelson, of course it's at the discretion of the court as to how much the penalty would be in monetary amount or in jail. The idea of this particular part of the amendment is to make it cumulative. If you had seventeen violations you should be penalized for seventeen separate citations. I want to point out that in RCW 9.92.060, the court has the option of actually suspending the sentence and then providing further that the court can require the person who is charged and found guilty to replace the actual value of the signs, so that you would be reimbursed and you would be able to make new signs and get them out as a part of your political advertising effort. It would mean that each and every sign destroyed or stolen is going to have to be replaced under that condition and this would also support the need for the amendment and its specific reference to campaign signs and billboards."

Mr. McMullen spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to House Bill No. 1133, and the amendment was adopted by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dickie, Ebersole, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G., Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith C., Smith L., Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Wang, West, Williams B, Williams J, Wilson - 50.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Crane, Dellwo, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Zellinsky, and Mr. Speaker - 47.

Excused: Representative King P - 1.

On motion of Mr. G. Nelson, the following amendment to the title of the bill was adopted:

On page 1, line 4 of the title after "29.85.270;" insert "adding a new section to chapter 29.85 RCW;"

House Bill No. 1133 was ordered engrossed and passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. Wang, the House advanced to the eighth order of business.

On motion of Mr. Wang, HOUSE BILL NO. 1231 was rereferred from Committee on Rules to Committee on Ways & Means.

MOTION

On motion of Mr. Wang, the House adjourned until 1:00 p.m., Tuesday, January 17, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

NINTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, January 17, 1984

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Schoon, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Judy Mitchell and Emily Lawson. Prayer was offered by The Reverend Donald Dawson, Minister of the Presbyterian Church of Lacey.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 16, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3021.
ENGROSSED SENATE BILL NO. 3264.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1443 by Representatives Patrick, Sanders, Fuhrman, G. Nelson, Egger, Chandler, Holland, Hastings, B. Williams, Zellinsky, J. Williams, Ballard, Stratton, Dickie, C. Smith, Isaacson, Long, Van Luven, Bond, West, Allen, Barrett, Miller, L. Smith, Betzoff, Silver and Clayton

AN ACT Relating to appropriations and expenditures by the state and placing limitations thereon; adding a new chapter to Title 43 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1444 by Representatives Crane, Todd and Grimm

AN ACT Relating to gasoline service stations; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Commerce & Economic Development.

HB 1445 by Representatives Tanner, Silver, B. Williams and Powers

AN ACT Relating to cities and counties; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 36.32 RCW.

Referred to Committee on Local Government.

HB 1446 by Representatives Brough, Locke, Stratton, Barrett, Long, Miller, L. Smith, Clayton and Moon (by Attorney General request)

AN ACT Relating to compensation of crime victims; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 239, Laws of 1983 and RCW 7.68.020; and amending section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 239, Laws of 1983 and RCW 7.68.070.

Referred to Committee on Judiciary.

HB 1447 by Representative Monohon

AN ACT Relating to Dungeness crabs; and adding a new section to chapter 75.12 RCW.

Referred to Committee on Natural Resources.

HB 1448 by Representatives Patrick, Padden, Fuhrman, Sanders, G. Nelson, Chandler, Ballard, Holland, J. Williams, Hastings, Van Luvan, L. Smith and Clayton

AN ACT Relating to public assistance; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Social & Health Services.

HB 1449 by Representatives Galloway, Holland and Powers (by Superintendent of Public Instruction request)

AN ACT Relating to the remediation assistance program; amending section 1, chapter 149, Laws of 1979 and RCW 28A.41.400; amending section 2, chapter 149, Laws of 1979 and RCW 28A.41.402; amending section 3, chapter 149, Laws of 1979 and RCW 28A.41.404; amending section 4, chapter 149, Laws of 1979 and RCW 28A.41.406; repealing section 7, chapter 149, Laws of 1979, section 2, chapter 163, Laws of 1982 and RCW 28A.41.412; and repealing section 8, chapter 149, Laws of 1979 and RCW 28A.41.414.

Referred to Committee on Education.

HB 1450 by Representatives Halsan, Mitchell, Stratton and Powers

AN ACT Relating to public lands; amending section 1, chapter 290, Laws of 1957 as last amended by section 1, chapter 261, Laws of 1983 and RCW 79.08.180; and amending section 2, chapter 200, Laws of 1971 ex. sess. as last amended by section 1, chapter 31, Laws of 1982 1st ex. sess. and RCW 79.01.770.

Referred to Committee on Natural Resources.

HB 1451 by Representatives D. Nelson, Isaacson and Miller (by Utilities and Transportation Commission request)

AN ACT Relating to public utilities regulations; and amending section 80.04.010, chapter 14, Laws of 1961 as last amended by section 10, chapter 191, Laws of 1979 ex. sess. and RCW 80.04.010.

Referred to Committee on Energy & Utilities.

HB 1452 by Representative D. Nelson

AN ACT Relating to energy.

Referred to Committee on Rules.

HB 1453 by Representative D. Nelson

AN ACT Relating to energy conservation.

Referred to Committee on Rules.

HB 1454 by Representative D. Nelson

AN ACT Relating to utilities.

Referred to Committee on Rules.

HB 1455 by Representative P. King

AN ACT Relating to notaries public; adding new sections to chapter 42.28 RCW; repealing section 1, page 473, Laws of 1890, section 1, chapter 137, Laws of 1907, section 1, chapter 6, Laws of 1937 and RCW 42.28.010; repealing section 1, page 52, Laws of 1862, section 1, page 501, Laws of 1863, section 1, page 375, Laws of 1869, section 3, page 467, Laws of 1873, section 2615, Code of 1881, section 2, page 473, Laws of 1890 and RCW 42.28.020; repealing section 3, page 473, Laws of 1890, section 1, chapter 85, Laws of 1975 1st ex. sess., section 1, chapter 314, Laws of 1981 and RCW 42.28.030; repealing section 5, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.035; repealing section 4, page 474, Laws of 1890 and RCW 42.28.040; repealing section 1, chapter 32, Laws of 1913 and RCW 42.28.050; repealing section 5, page 474, Laws of 1890, section 2, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.060; repealing section 6, page 474, Laws of 1890, section 3, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.070; repealing section 1, chapter 56, Laws of 1907, section 7, chapter 51, Laws of 1951, section 4, chapter 85, Laws of 1975 1st ex. sess., section 1, chapter 214, Laws of 1983 and RCW 42.28.090; repealing section 10, page 255, Laws of 1877, section 2623, Code of 1881, section 9, page 475, Laws of 1890 and RCW 42.28.100; repealing section 10, page 476, Laws of 1890, section 1, chapter 97, Laws of 1943 and RCW 42.28.110; repealing section 1, page 90, Laws of 1890, section 1, page 91, Laws of

1890 and RCW 42.28.120; repealing section 2, page 90, Laws of 1890 and RCW 42.28.130; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1456 by Representatives Galloway, P. King, Ebersole and Powers (by Superintendent of Public Instruction request)

AN ACT Relating to transitional bilingual instruction; amending section 1, chapter 95, Laws of 1979 and RCW 28A.58.800; amending section 2, chapter 95, Laws of 1979 and RCW 28A.58.802; amending section 3, chapter 95, Laws of 1979 and RCW 28A.58.804; amending section 4, chapter 95, Laws of 1979 and RCW 28A.58.806; amending section 5, chapter 95, Laws of 1979 and RCW 28A.58.808; amending section 6, chapter 95, Laws of 1979 and RCW 28A.58.810; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

HB 1457 by Representatives D. Nelson, Addison and Sanders (by Attorney General request)

AN ACT Relating to state officers and employees; creating a new chapter in Title 42 RCW; repealing section 1, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.010; repealing section 2, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.020; repealing section 3, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.030; repealing section 4, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.040; repealing section 5, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.050; repealing section 6, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.060; repealing section 7, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.070; repealing section 8, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.080; repealing section 9, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.090; repealing section 10, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.100; repealing section 11, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.110; repealing section 12, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.120; repealing section 13, chapter 234, Laws of 1969 ex. sess., section 1, chapter 137, Laws of 1973 and RCW 42.18.130; repealing section 14, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.140; repealing section 15, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.150; repealing section 16, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.160; repealing section 17, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.170; repealing section 18, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.180; repealing section 19, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.190; repealing section 20, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.200; repealing section 21, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.210; repealing section 22, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.220; repealing section 23, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.230; repealing section 24, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.240; repealing section 25, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.250; repealing section 26, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.260; repealing section 27, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.270; repealing section 28, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.280; repealing section 29, chapter 234, Laws of 1969 ex. sess., section 2, chapter 137, Laws of 1973 and RCW 42.18.290; repealing section 30, chapter 234, Laws of 1969 ex. sess., section 3, chapter 137, Laws of 1973 and RCW 42.18.300; repealing section 31, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.310; repealing section 32, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.320; repealing section 33, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.330; and repealing section 40, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.900.

Referred to Committee on Constitution, Elections & Ethics.

HB 1458 by Representatives Patrick, Fuhrman, Egger, Chandler, Hastings, J. Williams, West, Isaacson and Silver

AN ACT Relating to state fiscal matters; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 1459 by Representative Addison (by Attorney General request)

AN ACT Relating to unfair practices; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 1460 by Representatives Galloway, Dickie, P. King, Ebersole, Holland and Long (by Superintendent of Public Instruction request)

AN ACT Relating to associated student bodies in school districts; and amending section 2, chapter 284, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 231, Laws of 1982 and RCW 28A.58.120.

Referred to Committee on Education.

HB 1461 by Representative D. Nelson

AN ACT Relating to radioactive waste.

Referred to Committee on Rules.

HB 1462 by Representatives R. King, O'Brien, Belcher, Niemi, Miller, Locke, Fisch and Galloway

AN ACT Relating to unemployment compensation for persons who quit work for good cause or are remunerated through tips; amending section 33, chapter 35, Laws of 1945 as last amended by section 6, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.04-.320; and amending section 73, chapter 35, Laws of 1945 as last amended by section 6, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.20.050.

Referred to Committee on Labor.

HB 1463 by Representatives Tanner, Monohon, Sanders, Cantu, Struthers, Fuhrman, Miller, Silver and Hastings

AN ACT Relating to the taxation of coin and bullion investments; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

HB 1464 by Representatives Charnley, Kaiser, Allen, Burns, Lux, Isaacson, Todd, Pruitt, Jacobsen, Silver, Rust, Patrick, Brough, Chandler, Dickie, Dellwo, Appelwick, Walk, Sommers, Haugen, Long, D. Nelson and Brekke

AN ACT Relating to public health; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 1465 by Representatives Walk, Wilson and Gallagher (by Utilities and Transportation Commission request)

AN ACT Relating to private carriers; adding new sections to chapter 81.80 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

HB 1466 by Representatives Van Dyken, Moon, Hine, Brough, Haugen, Allen, Ebersole and Holland

AN ACT Relating to the establishment of a commission on community growth and development; and creating a new section.

Referred to Committee on Local Government.

HB 1467 by Representative Tanner

AN ACT Relating to correctional institutions; and adding new sections to chapter 72.09 RCW.

Referred to Committee on Social & Health Services.

HB 1468 by Representatives Grimm, Hine and Sommers

AN ACT Relating to the distribution of timber excise taxes; amending section 84.52-.080, chapter 15, Laws of 1961 as amended by section 1, chapter 7, Laws of 1965 ex. sess. and RCW 84.52.080; amending section 1, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.015; amending section 1, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.010; amending section 2, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.020; amending section 4, chapter 294, Laws of 1971 ex. sess. as amended by section 7, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.040; amending section 2, chapter 146, Laws of 1981 and RCW 84.33.074; amending section 6, chapter 134, Laws of 1980 and RCW 84.33.075; amending section 8, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.077; amending section 9, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.078; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 148, Laws of 1981 and RCW 84.33.120; amending section 17, chapter 294, Laws of 1971 ex. sess. as

amended by section 226, chapter 3, Laws of 1983 and RCW 84.33.170; amending section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter 3, Laws of 1983 and RCW 82.32.010; adding new sections to chapter 84.33 RCW; creating a new section; repealing section 3, chapter 294, Laws of 1971 ex. sess., section 1, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.030; repealing section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050; repealing section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060; repealing section 6, chapter 95, Laws of 1979 ex. sess. and RCW 84.33.072; repealing section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-'76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981, section 1, chapter 8, Laws of 1983 and RCW 84.33.080; repealing section 5, chapter 4, Laws of 1981 and RCW 84.33.085; repealing section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1469 by Representative D. Nelson

AN ACT Relating to joint operating agencies.

Referred to Committee on Rules.

HB 1470 by Representative D. Nelson

AN ACT Relating to telecommunications.

Referred to Committee on Rules.

HB 1471 by Representatives Grimm, Hine and Sommers

AN ACT Relating to timber excise tax rates; adding a new section to chapter 84.33 RCW; repealing section 1, chapter 347, Laws of 1977 ex. sess., section 1, chapter 6, Laws of 1979, section 1, chapter 148, Laws of 1981, section 2, chapter 4, Laws of 1982 2nd ex. sess., section 59, chapter 3, Laws of 1983 2nd ex. sess. and RCW 84.33.071; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1472 by Representative Galloway

AN ACT Relating to testing in the schools.

Referred to Committee on Rules.

HB 1473 by Representative Galloway

AN ACT Relating to evaluation of school employees.

Referred to Committee on Rules.

HB 1474 by Representative Galloway

AN ACT Relating to the prevention of dropouts from school.

Referred to Committee on Rules.

HB 1475 by Representative Galloway

AN ACT Relating to teacher certification.

Referred to Committee on Rules.

HB 1476 by Representatives Vekich, Zellinsky, Ebersole, Fisher, Kaiser, Johnson, J. Williams, Long, Sanders and Powers

AN ACT Relating to veterans; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 82, Laws of 1979 and RCW 28B.15.380; amending section 22, chapter 279, Laws of 1971 ex. sess. as last amended by section 1, chapter 307, Laws of 1983 and RCW 28B.15.620; and amending section 1, chapter 269,

Laws of 1969 ex. sess. as last amended by section 1, chapter 230, Laws of 1983 and RCW 41.04.005.

Referred to Committee on Higher Education.

HB 1477 by Representatives McMullen, Walk, Sutherland and Clayton

AN ACT Relating to disabled vehicles; and amending section 46.37.450, chapter 12, Laws of 1961 and RCW 46.37.450.

Referred to Committee on Transportation.

HB 1478 by Representatives Niemi, Belcher, Brough, Miller, Fisher, Ellis, Brekke, Allen, Rust, Haugen, Galloway, Hankins, Sommers, Monohon, Long and Powers

AN ACT Relating to the consideration of community property laws by the office of minority and women's business enterprises; adding a new section to chapter 39.19 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 1479 by Representative Galloway

AN ACT Relating to student learning objectives; amending section 1, chapter 90, Laws of 1975-76 2nd ex. sess. as amended by section 1, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.090; and repealing section 2, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.092.

Referred to Committee on Education.

HB 1480 by Representatives Scott and Galloway

AN ACT Relating to the supervision of student teachers; creating a new section; and making an appropriation.

Referred to Committee on Education.

HB 1481 by Representative Galloway

AN ACT Relating to teacher education.

Referred to Committee on Rules.

HB 1482 by Representative Galloway

AN ACT Relating to training principals.

Referred to Committee on Rules.

HB 1483 by Representative Tanner

AN ACT Relating to special purpose districts; and adding a new chapter in Title 55 RCW.

Referred to Committee on Local Government.

HB 1484 by Representatives Braddock, Sanders, Betrozoff, Fuhrman, Long, Miller, Dellwo, B. Williams and Hastings

AN ACT Relating to aircraft fuel taxation; repealing section 1, chapter 10, Laws of 1967 ex. sess., section 1, chapter 254, Laws of 1969 ex. sess., section 229, chapter 158, Laws of 1979, section 1, chapter 25, Laws of 1982 1st ex. sess., section 1, chapter 49, Laws of 1983 and RCW 82.42.010; repealing section 2, chapter 10, Laws of 1967 ex. sess., section 2, chapter 254, Laws of 1969 ex. sess., section 2, chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.020; repealing section 3, chapter 25, Laws of 1982 1st ex. sess., section 2, chapter 49, Laws of 1983 and RCW 82.42.025; repealing section 3, chapter 10, Laws of 1967 ex. sess., section 4, chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.030; repealing section 4, chapter 10, Laws of 1967 ex. sess., section 3, chapter 254, Laws of 1969 ex. sess., section 5, chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.040; repealing section 5, chapter 10, Laws of 1967 ex. sess., section 4, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.050; repealing section 6, chapter 10, Laws of 1967 ex. sess., section 4, chapter 139, Laws of 1969, section 5, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.060; repealing section 7, chapter 10, Laws of 1967 ex. sess., section 4, chapter 156, Laws of 1971 ex. sess., section 6, chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.070; repealing section 8, chapter 10, Laws of 1967 ex. sess., section 7, chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.080; repealing section 9, chapter 10, Laws of 1967 ex. sess., section 8, chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.090; repealing section 10, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.100; repealing section 5, chapter 156, Laws of 1971 ex. sess., section 9,

chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.110; and repealing section 11, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.900.

Referred to Committee on Transportation.

HB 1485 by Representatives Long, Rust, Patrick, Brekke, Silver, Allen, Miller, Johnson, Sanders, Addison, G. Nelson and Dellwo

AN ACT Relating to motor vehicle emission inspections; and adding a new section to chapter 70.120 RCW.

Referred to Committee on Environmental Affairs.

HB 1486 by Representatives Schoon, Crane, Holland, Smitherman, Nealey, Bond, Clayton, Kaiser, Patrick, Sanders, Betrozoff, Brough, Barrett and Braddock

AN ACT Relating to fire trucks; amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 2, chapter 68, Laws of 1983 and RCW 46.44.095; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

HB 1487 by Representative Galloway

AN ACT Relating to remediation assistance.

Referred to Committee on Rules.

HB 1488 by Representatives Niemi, Sommers and Fisher

AN ACT Relating to the forest practices advisory committee; amending section 4, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.040; and repealing section 20, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.200.

Referred to Committee on State Government.

HB 1489 by Representatives Braddock, Van Dyken, McMullen and Fiske

AN ACT Relating to state highway routes; and adding a new section to chapter 47.17 RCW.

Referred to Committee on Transportation.

HB 1490 by Representatives Garrett, Charnley and Powers

AN ACT Relating to the taxation of transit systems; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 82.16 RCW.

Referred to Committee on Transportation.

HB 1491 by Representative Lux

AN ACT Relating to financial institutions.

Referred to Committee on Rules.

HB 1492 by Representatives Van Dyken, Barnes and Miller

AN ACT Relating to filing fees for declarations of candidacy; amending section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050; adding a new section to chapter 29.18 RCW; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 1493 by Representatives McMullen, Padden, Dellwo and Ebersole

AN ACT Relating to interest on workers' compensation awards and benefits; and amending section 1, chapter 301, Laws of 1983 and RCW 51.32.135.

Referred to Committee on Labor.

HB 1494 by Representative Lux

AN ACT Relating to insurance.

Referred to Committee on Rules.

HB 1495 by Representatives Niemi, Hankins and Sommers

AN ACT Relating to the institute of child development research and service; repealing section 28B.20.400, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.400; and

repealing section 28B.20.402, chapter 223, Laws of 1969 ex. sess., section 3, chapter 163, Laws of 1982 and RCW 28B.20.402.

Referred to Committee on Higher Education.

HB 1496 by Representatives Garrett, Patrick, Charnley and Powers

AN ACT Relating to local government transportation planning; adding a new section to chapter 35.77 RCW; and adding a new section to chapter 36.81 RCW.

Referred to Committee on Transportation.

HB 1497 by Representative Lux

AN ACT Relating to financial institutions.

Referred to Committee on Rules.

HB 1498 by Representative Braddock

AN ACT Relating to the taxation of municipal utilities; and adding a new section to chapter 54.28 RCW.

Referred to Committee on Ways & Means.

HB 1499 by Representatives Sayan, Powers, Sutherland, Vekich and Haugen

AN ACT Relating to food fish and shellfish; and adding a new section to chapter 75.10 RCW.

Referred to Committee on Natural Resources.

HB 1500 by Representatives Garrett, Barnes, Gallagher, Charnley and Isaacson

AN ACT Relating to motor vehicle fuel taxation; reenacting and amending section 23, chapter 37, Laws 1980 as last amended by section 1, chapter 108, Laws of 1983 and by section 2, chapter 35, Laws of 1983 1st ex. sess. and RCW 82.08.0255; reenacting and amending section 56, chapter 37, Laws of 1980 as last amended by section 2, chapter 108, Laws of 1983 and by section 3, chapter 35, Laws of 1983 1st ex. sess. and RCW 82.12.0256; amending section 1, chapter 42, Laws of 1973 as last amended by section 4, chapter 108, Laws of 1983 and RCW 82.38.080; and adding a new section to chapter 82.36 RCW.

Referred to Committee on Transportation.

HB 1501 by Representative Brekke

AN ACT Relating to the powers of the board of prison terms and paroles; adding new sections to chapter 9.95 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 1502 by Representatives Hastings, Kaiser, Struthers, Isaacson and C. Smith

AN ACT Relating to delinquent irrigation district assessments; and amending section 25, page 684, Laws of 1889-'90 as last amended by section 2, chapter 209, Laws of 1981 and RCW 87.03.310.

Referred to Committee on Local Government.

HB 1503 by Representatives Long, Moon, Patrick, Haugen, G. Nelson, Hine, Allen, Van Dyken, Ballard, Hastings and Johnson

AN ACT Relating to cities and towns; and adding a new section to chapter 36.93 RCW.

Referred to Committee on Local Government.

HB 1504 by Representative J. King

AN ACT Relating to economic development.

Referred to Committee on Rules.

HB 1505 by Representative J. King

AN ACT Relating to economic development.

Referred to Committee on Rules.

HB 1506 by Representative J. King

AN ACT Relating to economic development.

Referred to Committee on Rules.

HB 1507 by Representatives Hine, Barnes, Pruitt, Garrett, Addison, Lux and Long

AN ACT Relating to prostitution; adding a new chapter to Title 9A RCW; making an appropriation; providing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1508 by Representatives Schoon, Braddock, Ballard, Wang, Brough, Scott, Nealey, Galloway, Patrick, Jacobsen, Johnson, Struthers, Miller, Silver, Chandler and Todd

AN ACT Relating to driving while intoxicated; and adding new sections to chapter 46.61 RCW.

Referred to Committee on Judiciary.

HB 1509 by Representatives Tanner, L. Smith, J. King, Struthers, Heck, Sutherland, Galloway, Hastings, Appelwick, Hankins, O'Brien, Bond, Wang, Barnes, Armstrong, Betrozoff, Jacobsen, Schmidt, Braddock, Walk, Schoon, D. Nelson, Kaiser, Sayan, Rust, Smitherman, Ballard, Monohon, Fisher, Gallagher, Locke, Powers, R. King, Burns, McMullen, Pruitt, Crane, Stratton, Egger, Dellwo, Zellinsky, Garrett, Sommers, Ellis, Scott, Belcher, Todd, Lux, Grimm, Isaacson, J. Williams, Brough, Dickie, C. Smith, Prince, Clayton, Van Luven, Patrick, Chandler, Fuhrman, Padden, Cantu, West, Vander Stoep, Barrett, Ebersole, Tilly, Allen, Long, Holland, B. Williams, Miller, Johnson and Silver

AN ACT Relating to the taxation by a county of persons residing outside the state who are employed inside the county; adding a new chapter to Title 82 RCW; and providing an effective date.

Referred to Committee on Local Government.

HB 1510 by Representatives Schoon, Tanner, Brough, Smitherman, Long, Kaiser, Van Dyken, B. Williams, Bond, C. Smith, Pruitt, Barrett, Charnley and Patrick

AN ACT Relating to child support enforcement; adding a new chapter to Title 26 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1511 by Representatives Smitherman, J. King, Barrett, Halsan, Dellwo and Powers

AN ACT Relating to tourism development; adding new sections to chapter 43.31 RCW; and providing an effective date.

Referred to Committee on Commerce & Economic Development.

HB 1512 by Representatives Struthers, Hastings and Smitherman

AN ACT Relating to agriculture; adding a new chapter to Title 15 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Agriculture.

HB 1513 by Representatives Pruitt, Fisher, Miller, Haugen, Powers, Zellinsky, Brough and McMullen

AN ACT Relating to unfair manufacturing processes; adding a new chapter to Title 19 RCW; and creating a new section.

Referred to Committee on Commerce & Economic Development.

HB 1514 by Representatives Kreidler, Niemi, J. Williams, Lewis, Long, Miller, Dellwo, Clayton and Powers

AN ACT Relating to juveniles in adult jails; amending section 2, chapter 160, Laws of 1913 as last amended by section 1, chapter 299, Laws of 1981 and RCW 13.04.030; and amending section 11, chapter 160, Laws of 1913 and RCW 13.04.115.

Referred to Committee on Social & Health Services.

HB 1515 by Representatives Belcher, Locke, Armstrong, Galloway, Fisher and Scott

AN ACT Relating to the medical or dental records for juveniles in the juvenile justice system; and amending section 9, chapter 155, Laws of 1979 as last amended by section 19, chapter 191, Laws of 1983 and RCW 13.50.050.

Referred to Committee on Social & Health Services.

HB 1516 by Representatives Struthers, Sayan, Long, Armstrong and Berozoff

AN ACT Relating to fire extinguishers; adding new sections to chapter 48.48 RCW; and prescribing penalties.

Referred to Committee on Commerce & Economic Development.

HB 1517 by Representatives McMullen, Appelwick, Niemi and Armstrong

AN ACT Relating to the executive conflict of interest act; and amending section 22, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.220.

Referred to Committee on Judiciary.

HB 1518 by Representatives Brekke and Powers

AN ACT Relating to nursing home patients; amending section 55, chapter 177, Laws of 1980 as amended by section 29, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46-.550; adding a new section to chapter 18.51 RCW; adding a new section to chapter 74.09 RCW; and adding a new section to chapter 74.42 RCW.

Referred to Committee on Social & Health Services.

HB 1519 by Representatives Brekke and Wang

AN ACT Relating to aid to families with dependent children; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 40, chapter 41, Laws of 1983 1st ex. sess. and RCW 74.12.010; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1520 by Representatives Hine, Tilly, Cantu, Appelwick and Pruitt (by Secretary of State request)

AN ACT Relating to elections; and amending section 2, chapter 4, Laws of 1973 as last amended by section 4, chapter 144, Laws of 1977 ex. sess. and RCW 29.13.047.

Referred to Committee on Constitution, Elections & Ethics.

HB 1521 by Representative Padden (by Attorney General request)

AN ACT Relating to habeas corpus; and amending section 445, page 213, Laws of 1854 as last amended by section 3, chapter 256, Laws of 1947 and RCW 7.36.130.

Referred to Committee on Judiciary.

HB 1522 by Representative J. King

AN ACT Relating to economic development.

Referred to Committee on Rules.

HB 1523 by Representatives Long, Johnson, Belcher, Barrett and Miller (by Attorney General request)

AN ACT Relating to freedom from discrimination; and amending section 2, chapter 183, Laws of 1949 as last amended by section 2, chapter 127, Laws of 1979 and RCW 49.60.030.

Referred to Committee on Judiciary.

HB 1524 by Representatives D. Nelson, B. Williams and Hine (by State Energy Office request)

AN ACT Relating to creating an energy account; and adding new sections to chapter 43.21F RCW.

Referred to Committee on Energy & Utilities.

HB 1525 by Representative Crane

AN ACT Relating to criminal law; amending section 9A.08.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.08.010; amending section 9A.16.020, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 7, chapter 244, Laws of 1979 ex. sess. and RCW 9A.16.020; amending section 9A.16.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.16.050; amending section 9A.16.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.16.060; amending section 9A.16.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.16.070; amending section 3, chapter 301, Laws of 1981 and RCW 43.52.530; repealing section 8, chapter 206, Laws of 1977 ex. sess. and RCW 9.01.200; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1526 by Representatives Scott, Lewis, Kreidler, Wang and Isaacson (by Department of Social and Health Services request)

AN ACT Relating to child placement and review hearings; amending section 31, chapter 155, Laws of 1979 as amended by section 12, chapter 298, Laws of 1981 and RCW 13.32A.170; amending section 33, chapter 155, Laws of 1979 as amended by section 13, chapter 298, Laws of 1981 and RCW 13.32A.190; amending section 34, chapter 291, Laws of 1977 ex. sess. as last amended by section 1, chapter 246, Laws of 1983 and RCW 13.34.060; and reenacting and amending section 41, chapter 291, Laws of 1977 ex. sess. as last amended by section 2, chapter 246, Laws of 1983 and by section 5, chapter 311, Laws of 1983 and RCW 13.34.130.

Referred to Committee on Social & Health Services.

HB 1527 by Representatives Wang, Armstrong, McMullen, Patrick, Dellwo, Schoon, Johnson, Holland, Miller, Clayton, Allen and Long

AN ACT Relating to domestic violence; amending section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 1, chapter 106, Laws of 1981 and RCW 10.31.100; amending section 2, chapter 105, Laws of 1979 ex. sess. and RCW 10.99.020; amending section 3, chapter 105, Laws of 1979 ex. sess. as amended by section 5, chapter 145, Laws of 1981 and RCW 10.99.030; amending section 4, chapter 105, Laws of 1979 ex. sess. as last amended by section 7, chapter 232, Laws of 1983 and RCW 10.99.040; amending section 7, chapter 145, Laws of 1981 as amended by section 8, chapter 232, Laws of 1983 and RCW 10.99.045; amending section 5, chapter 105, Laws of 1979 ex. sess. and RCW 10.99.050; amending section 8, chapter 145, Laws of 1981 as amended by section 9, chapter 232, Laws of 1983 and RCW 10.99.055; amending section 6, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.09.060; amending section 1, chapter 99, Laws of 1974 ex. sess. and RCW 26.09.300; adding a new chapter to Title 26 RCW; and prescribing penalties.

HB 1528 by Representatives Prince and Struthers

AN ACT Relating to cities and towns; amending section 1, chapter 60, Laws of 1974 ex. sess. and RCW 35.21.770; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030; amending section 1, chapter 274, Laws of 1947 as last amended by section 1, chapter 69, Laws of 1983 and RCW 41.40.010; and declaring an emergency.

Referred to Committee on Local Government.

HB 1529 by Representatives Pruitt, Mitchell and Halsan

AN ACT Relating to election offenses; and reenacting section 29.51.020, chapter 9, Laws of 1965 as amended by section 1, chapter 33, Laws of 1983 1st ex. sess. and RCW 29.51.020.

Referred to Committee on Constitution, Elections & Ethics.

HB 1530 by Representatives Garrett, Egger and Walk

AN ACT Relating to the model traffic ordinance; amending section 50, chapter 54, Laws of 1975 1st ex. sess. as last amended by section 2, chapter 30, Laws of 1983 and RCW 46.90.300; amending section 71, chapter 54, Laws of 1975 1st ex. sess. as last amended by section 2, chapter 25, Laws of 1982 and RCW 46.90.427; amending section 83, chapter 54, Laws of 1975 1st ex. sess. as last amended by section 5, chapter 65, Laws of 1980 and RCW

46.90.463; amending section 89, chapter 54, Laws of 1975 1st ex. sess. as amended by section 6, chapter 65, Laws of 1980 and RCW 46.90.481; and amending section 116, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.900.

Referred to Committee on Transportation.

HB 1531 by Representative Grimm

AN ACT Relating to flooding; amending section 3, chapter 240, Laws of 1951 and RCW 86.26.010; amending section 6, chapter 240, Laws of 1951 and RCW 86.26.040; amending section 7, chapter 240, Laws of 1951 and RCW 86.26.050; amending section 8, chapter 240, Laws of 1951 and RCW 86.26.060; amending section 10, chapter 240, Laws of 1951 and RCW 86.26.080; amending section 11, chapter 240, Laws of 1951 and RCW 86.26.090; amending section 12, chapter 240, Laws of 1951 and RCW 86.26.100; adding new sections to chapter 86.26 RCW; repealing section 4, chapter 195, Laws of 1969 ex. sess. and RCW 86.16.095; repealing section 4, chapter 240, Laws of 1951, section 2, chapter 84, Laws of 1961 and RCW 86.26.020; repealing section 5, chapter 240, Laws of 1951 and RCW 86.26.030; and repealing section 13, chapter 240, Laws of 1951, section 38, chapter 106, Laws of 1973 and RCW 86.26.110.

Referred to Committee on Local Government.

HB 1532 by Representatives Barnes and Long

AN ACT Relating to a salary survey; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1533 by Representative Barnes

AN ACT Relating to water districts; amending section 7, chapter 114, Laws of 1929 as last amended by section 2, chapter 92, Laws of 1980 and RCW 57.12.010; amending section 4, chapter 18, Laws of 1959 as last amended by section 14, chapter 17, Laws of 1982 1st ex. sess. and RCW 57.12.030; and adding a new section to chapter 57.12 RCW.

Referred to Committee on Local Government.

HB 1534 by Representatives Stratton and B. Williams

AN ACT Relating to public lands; and amending section 1, chapter 290, Laws of 1957 as last amended by section 1, chapter 261, Laws of 1983 and RCW 79.08.180.

Referred to Committee on Natural Resources.

HB 1535 by Representatives Niemi, Fiske and Pruitt (by Planning and Community Affairs Agency request)

AN ACT Relating to actions against state officers, employees, and authorized agents; amending section 1, chapter 79, Laws of 1921 as last amended by section 1, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.060; and amending section 2, chapter 79, Laws of 1921 as last amended by section 2, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.070.

Referred to Committee on Judiciary.

HB 1536 by Representatives Grimm and Charnley

AN ACT Relating to tuition and fees at institutions of higher education; amending section 6, chapter 257, Laws of 1981 as amended by section 18, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.202; amending section 7, chapter 257, Laws of 1981 as amended by section 19, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.402; amending section 8, chapter 257, Laws of 1981 as amended by section 10, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.502; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1537 by Representatives Haugen, Zellinsky, West and Egger

AN ACT Relating to educational employment labor relations; amending section 3, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.020; amending section 13, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.120; adding new sections to chapter 41.59 RCW; and prescribing penalties.

Referred to Committee on Education.

HB 1538 by Representatives Kreidler and Powers

AN ACT Relating to cost containment of public health care; and creating new sections.

Referred to Committee on Social & Health Services.

HB 1539 by Representatives Crane and Addison

AN ACT Relating to costs of legal fees for juveniles; and adding a new section to chapter 13.40 RCW.

Referred to Committee on Judiciary.

HB 1540 by Representative Kreidler

AN ACT Relating to blind persons; and amending section 20, chapter 194, Laws of 1983 and RCW 74.18.200.

Referred to Committee on Higher Education.

HB 1541 by Representative C. Smith

AN ACT Relating to water rights; amending section 7, chapter 263, Laws of 1945 and RCW 90.44.070; and adding a new section to chapter 90.44 RCW.

Referred to Committee on Agriculture.

HB 1542 by Representatives P. King and Moon

AN ACT Relating to declaratory judgments concerning local government ordinances and resolutions; and creating a new chapter in Title 7 RCW.

Referred to Committee on Local Government.

HB 1543 by Representative P. King

AN ACT Relating to preadmission screening; and amending section 28A.58.190, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 250, Laws of 1979 ex. sess. and RCW 28A.58.190.

Referred to Committee on Education.

HB 1544 by Representatives Kreidler, Braddock, Monohon, Mitchell, Egger, Sanders and Dellwo

AN ACT Relating to veterans; and amending section 1, chapter 64, Laws of 1909 as last amended by section 7, chapter 180, Laws of 1947 and RCW 73.04.080.

Referred to Committee on State Government.

HB 1545 by Representatives Todd and Isaacson (by Utilities and Transportation Commission request)

AN ACT Relating to public utilities regulations; and amending section 80.04.010, chapter 14, Laws of 1961 as last amended by section 10, chapter 191, Laws of 1979 ex. sess. and RCW 80.04.010.

Referred to Committee on Energy & Utilities.

HB 1546 by Representatives P. King and Barrett (by Superintendent of Public Instruction request)

AN ACT Relating to handicapped children; amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010; amending section 28A.13.050, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.050; and amending section 2, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.772.

Referred to Committee on Education.

HB 1547 by Representatives Zellinsky, Schmidt and Wilson (by Secretary of State request)

AN ACT Relating to special absentee ballots; and adding a new section to chapter 29.39 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 1548 by Representatives Fisch, Miller, Wang and D. Nelson (by Secretary of State request)

AN ACT Relating to voter registration in state offices; amending section 29.07.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 48, Laws of 1980 and RCW 29.07.010; adding a new section to chapter 29.07 RCW; and creating a new section.

Referred to Committee on Constitution, Elections & Ethics.

HB 1549 by Representatives Galloway, Haugen and Taylor

AN ACT Relating to interschool extracurricular activities; and amending section 1, chapter 32, Laws of 1975-76 2nd ex. sess. and RCW 28A.58.125.

Referred to Committee on Education.

HB 1550 by Representatives Charnley, Lux, Todd and Brekke

AN ACT Relating to cigarettes and little cigars; creating new sections; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 1551 by Representatives Fisch, Miller, Wang, D. Nelson and Charnley (by Secretary of State request)

AN ACT Relating to voter registration; amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 3, Laws of 1980 and RCW 29.07.160; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.07 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 1552 by Representative Grimm

AN ACT Relating to membership in the public employees' retirement system; and amending section 1, chapter 274, Laws of 1947 as last amended by section 1, chapter 69, Laws of 1983 and RCW 41.40.010.

Referred to Committee on Ways & Means.

HB 1553 by Representatives Grimm, Sayan and Walk

AN ACT Relating to public employment; amending section 12, chapter 311, Laws of 1981 and RCW 41.64.110; amending section 1, chapter 12, Laws of 1970 ex. sess. as last amended by section 4, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.020; amending section 4, chapter 1, Laws of 1961 as amended by section 22, chapter 36, Laws of 1969 ex. sess. and RCW 41.06.040; amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 21, chapter 15, Laws of 1983 and RCW 41.06.070; amending section 2, chapter 12, Laws of 1970 ex. sess. and RCW 41.06.080; amending section 12, chapter 1, Laws of 1961 as last amended by section 17, chapter 311, Laws of 1981 and RCW 41.06.120; amending section 6, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.155; amending section 16, chapter 1, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1980 and RCW 41.06.160; amending section 3, chapter 152, Laws of 1977 ex. sess. as amended by section 59, chapter 151, Laws of 1979 and RCW 41.06.163; amending section 5, chapter 152, Laws of 1977 ex. sess. as last amended by section 2, chapter 11, Laws of 1980 and RCW 41.06.167; amending section 17, chapter 1, Laws of 1961 as last amended by section 19, chapter 311, Laws of 1981 and RCW 41.06.170; amending section 27, chapter 1, Laws of 1961 as amended by section 61, chapter 151, Laws of 1979 and RCW 41.06.270; amending section 13, chapter 215, Laws of 1969 ex. sess. and RCW 41.06.340; amending section 1, chapter 152, Laws of 1969 ex. sess. and RCW 41.06.350; amending section 4, chapter 118, Laws of 1980 and RCW 41.06.400; amending section 5, chapter 118, Laws of 1980 and RCW 41.06.410; amending section 6, chapter 118, Laws of 1980 and RCW 41.06.420; amending section 7, chapter 118, Laws of 1980 and RCW 41.06.430; amending section 8, chapter 118, Laws of 1980 and RCW 41.06.440; amending section 10, chapter 208, Laws of 1982 and RCW 41.06.450; adding new sections to chapter 41.06 RCW; creating new sections; repealing section 1, chapter 1, Laws of 1961, section 1, chapter 118, Laws of 1980 and RCW 41.06.010; repealing section 3, chapter 1, Laws of 1961 and RCW 41.06.030; repealing section 8, chapter 10, Laws of 1982 and RCW 41.06.110; repealing section 13, chapter 1, Laws of 1961, section 3, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.130; repealing section 14, chapter 1, Laws of 1961 and RCW 41.06.140; repealing section 4, chapter 53, Laws of 1982 1st ex. sess., section 5, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.150; repealing section 6, chapter 152, Laws of 1977 ex. sess., section 5, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.169; repealing section 6, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.175; repealing section 8, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.185; repealing section 9, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.195; repealing section 7, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.205; repealing section 10, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.215; repealing section 22, chapter 1, Laws of 1961 and RCW 41.06.220; repealing section 23, chapter 1, Laws of 1961 and RCW 41.06.230; repealing section 24, chapter 1, Laws of 1961 and RCW 41.06.240;

repealing section 28, chapter 1, Laws of 1961, section 1, chapter 215, Laws of 1963, section 13, chapter 167, Laws of 1982 and RCW 41.06.280; repealing section 1, chapter 45, Laws of 1969 and RCW 41.06.300; repealing section 2, chapter 45, Laws of 1969 and RCW 41.06.310; repealing section 3, chapter 45, Laws of 1969 and RCW 41.06.320; repealing section 4, chapter 45, Laws of 1969 and RCW 41.06.330; repealing section 1, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.010; repealing section 2, chapter 36, Laws of 1969 ex. sess., section 41, chapter 169, Laws of 1977 ex. sess., section 14, chapter 53, Laws of 1982 1st ex. sess., section 1, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.020; repealing section 3, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.030; repealing section 4, chapter 36, Laws of 1969 ex. sess., section 1, chapter 94, Laws of 1977 ex. sess., section 15, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.040; repealing section 6, chapter 36, Laws of 1969 ex. sess., section 73, chapter 34, Laws of 1975-'76 2nd ex. sess., section 19, chapter 338, Laws of 1981 and RCW 28B.16.060; repealing section 7, chapter 36, Laws of 1969 ex. sess., section 1, chapter 23, Laws of 1983 and RCW 28B.16.070; repealing section 8, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.080; repealing section 9, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.090; repealing section 10, chapter 36, Laws of 1969 ex. sess., section 1, chapter 19, Laws of 1971 ex. sess., section 2, chapter 154, Laws of 1973, section 2, chapter 75, Laws of 1973 1st ex. sess., section 1, chapter 122, Laws of 1975 1st ex. sess., section 8, chapter 152, Laws of 1977 ex. sess., section 15, chapter 151, Laws of 1979, section 16, chapter 53, Laws of 1982 1st ex. sess., section 2, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.100; repealing section 9, chapter 152, Laws of 1977 ex. sess., section 19, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.101; repealing section 13, chapter 152, Laws of 1977 ex. sess., section 17, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.105; repealing section 11, chapter 36, Laws of 1969 ex. sess., section 2, chapter 122, Laws of 1975 1st ex. sess., section 10, chapter 152, Laws of 1977 ex. sess., section 16, chapter 151, Laws of 1979, section 3, chapter 11, Laws of 1980 and RCW 28B.16.110; repealing section 11, chapter 152, Laws of 1977 ex. sess., section 17, chapter 151, Laws of 1979 and RCW 28B.16.112; repealing section 12, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.113; repealing section 3, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.116; repealing section 12, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.120; repealing section 13, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.130; repealing section 14, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.140; repealing section 15, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.150; repealing section 16, chapter 36, Laws of 1969 ex. sess., section 72, chapter 81, Laws of 1971 and RCW 28B.16.160; repealing section 26, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.170; repealing section 17, chapter 36, Laws of 1969 ex. sess., section 3, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.16.180; repealing section 19, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.190; repealing section 20, chapter 36, Laws of 1969 ex. sess., section 18, chapter 151, Laws of 1979 and RCW 28B.16.200; repealing section 29, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.210; repealing section 31, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.220; repealing section 14, chapter 215, Laws of 1969 ex. sess., section 6, chapter 62, Laws of 1973 and RCW 28B.16.230; repealing section 1, chapter 46, Laws of 1979 ex. sess. and RCW 28B.16.240; repealing section 18, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.250; repealing section 21, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.260; repealing section 22, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.270; repealing section 20, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.280; repealing section 23, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.290; repealing section 18, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.900; repealing section 27, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.910; repealing section 30, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.920; repealing section 28, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.930; providing effective dates; and declaring an emergency.

Referred to Committee on State Government.

HB 1554 by Representative Jacobsen

AN ACT Relating to local improvement bonds; and amending section 35.45.010, chapter 7, Laws of 1965 and RCW 35.45.010.

Referred to Committee on Local Government.

HB 1555 by Representatives J. King, Patrick, Braddock, Isaacson, Jacobsen, Hankins and Tanner

AN ACT Relating to the establishment of a board of dental hygiene; amending section 31, chapter 16, Laws of 1923 as last amended by section 4, chapter 277, Laws of 1981 and RCW 18.29.060; amending section 32, chapter 16, Laws of 1923 as last amended by section 33, chapter 158, Laws of 1979 and RCW 18.29.070; amending section 28, chapter 16, Laws of 1923 as last amended by section 30, chapter 158, Laws of 1979 and RCW 18.29.020; adding new sections to chapter 18.29 RCW; creating a new section; repealing section 14, chapter 168, Laws of 1983 and RCW 18.29.031; repealing section 34, chapter 16, Laws of

1923 and RCW 18.29.080; repealing section 35, chapter 16, Laws of 1923 and RCW 18.29-.090; repealing section 36, chapter 16, Laws of 1923, section 34, chapter 158, Laws of 1979 and RCW 18.29.100; prescribing penalties; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 1556 by Representatives D. Nelson, Isaacson and Locke

AN ACT Relating to contracting authority for acquisition of renewable resources or for conservation; and creating a new chapter in Title 39 RCW.

Referred to Committee on Energy & Utilities.

HB 1557 by Representatives J. King, Patrick, Braddock, Isaacson, Jacobsen, Hankins and Tanner

AN ACT Relating to dental hygiene services in health care facilities; and adding a new section to chapter 18.29 RCW.

Referred to Committee on Social & Health Services.

HB 1558 by Representatives Armstrong and West

AN ACT Relating to firearms and dangerous weapons; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Judiciary.

HB 1559 by Representatives Sayan and Ellis (by Superintendent of Public Instruction request)

AN ACT Relating to removing the one hundred eighty-day limit on the accumulation of leave by school district employees; amending section 3, chapter 275, Laws of 1983 and RCW 28A.58.099; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1560 by Representatives Taylor, Locke, Betzoff, Holland, West, Padden, C. Smith, Dickie, Barrett, Chandler, Hastings, Mitchell, Patrick, Egger, Johnson and Clayton

AN ACT Relating to the Temporary Committee on Educational Policies, Structure and Management; amending section 2, chapter 33, Laws of 1982 1st ex. sess. as amended by section 1, chapter 105, Laws of 1983 (uncodified); creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Education.

HB 1561 by Representatives Clayton and Gallagher

AN ACT Relating to the residential landlord-tenant act; amending section 23, chapter 207, Laws of 1973 1st ex. sess. as amended by section 4, chapter 264, Laws of 1983 and RCW 59.18.230; amending section 13, chapter 264, Laws of 1983 and RCW 59.18.375; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Judiciary.

HB 1562 by Representatives Kreidler, Lewis, Holland and Clayton (by Department of Social and Health Services request)

AN ACT Relating to collection of child support assigned to the department of social and health services; and amending section 18, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.270.

Referred to Committee on Social & Health Services.

HJM 39 by Representatives D. Nelson, Locke, Armstrong, Sutherland, Jacobsen, Pruitt, Rust and Wang

Requesting the department of energy to review other radioactive waste sites.

Referred to Committee on Energy & Utilities.

HJM 40 by Representatives Lux and Sayan

Requesting Congress to enact legislation, and the federal reserve board to adopt regulations changing the manner in which finance charges are imposed.

Referred to Committee on Financial Institutions & Insurance.

HJR 49 by Representatives Braddock, Niemi and Sommers

Proposing a constitutional amendment authorizing the legislature to regulate the practice of law.

Referred to Committee on Judiciary.

HJR 50 by Representatives Patrick, Fuhrman, Egger, Chandler, Hastings, B. Williams, Clayton, J. Williams, West and Isaacson

Establishing restrictions on taxation and appropriation legislation.

Referred to Committee on Ways & Means.

HJR 51 by Representatives Patrick, Sanders, Fuhrman, G. Nelson, Egger, Chandler, Holland, Hastings, B. Williams, Zellinsky, Stratton, Dickie, C. Smith, Isaacson, Long, Van Luven, Bond, Ballard, J. Williams, West, Allen, Barrett, Schoon, Miller, L. Smith, Betzoff, Silver and Clayton

Establishing limitations on state expenditures.

Referred to Committee on Ways & Means.

HJR 52 by Representatives Galloway and J. King

Providing the means for the payment of indebtedness on public improvements.

Referred to Committee on Commerce & Economic Development.

HCR 35 by Representatives McMullen, Fisch, R. King, Heck, Egger, Barrett, Ballard, Clayton, Patrick, Kaiser, Van Dyken, Belcher, Hine, J. King, Dellwo, Tanner, Niemi, Haugen, Ebersole, Zellinsky, Barnes, Schoon, Wang, Struthers, Holland, Betzoff, Fuhrman, Long, Silver, Scott, Hastings, Brough, Lux, Brekke, Powers and Todd

Establishing a joint select committee on workers' compensation to review the industrial insurance system.

Referred to Committee on Rules.

MOTIONS

On motion of Mr. Heck, all the bills, memorials and resolutions listed on the introduction sheet were considered first reading under the fourth order of business and were referred to the committees designated.

On motion of Mr. Heck, House Bill No. 1527, House Bill No. 1563 through House Bill No. 1778 and House Joint Memorial No. 41 and Engrossed House Joint Memorial No. 42, House Joint Resolutions Nos. 53 through 56, House Concurrent Resolution No. 36 and House Concurrent Resolution No. 37, Substitute Senate Bill No. 3021 and Engrossed Senate Bill No. 3264 were introduced and placed on the first reading calendar for tomorrow.

REPORTS OF STANDING COMMITTEES

January 12, 1984

HB 879 Prime Sponsor, Representative Kaiser: Authorizing the establishment of community corporations. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Allen, Ballard, Brough, Charnley, Ebersole, Garrett, Grimm, Hine, Smitherman and Todd.

Voting nay: Representatives Chandler, Egger, Isaacson, Van Dyken and Van Luven.

Absent: Representatives Haugen, Vice Chair; and Broback.

Passed to Committee on Rules for second reading.

January 13, 1984

HB 1187 Prime Sponsor, Representative Tanner: Regulating the practice of hair-styling. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Absent: Representatives Braddock, Ebersole, Smitherman and Wilson.

Passed to Committee on Rules for second reading.

January 13, 1984

HB 1193 Prime Sponsor, Representative Haugen: Creating the state advisory council on international trade development. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Absent: Representatives Ellis, Tilly and Wilson.

Referred to Committee on Ways & Means.

January 13, 1984

HB 1205 Prime Sponsor, Representative Appelwick: Establishing a provisional center for international trade in forest products. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Absent: Representatives Ellis, Tilly and Wilson.

Referred to Committee on Ways & Means.

January 13, 1984

HB 1207 Prime Sponsor, Representative Ellis: Establishing a provisional international marketing program for agricultural commodities and trade. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Absent: Representatives Ellis, Tilly and Wilson.

Referred to Committee on Ways & Means.

SECOND READING

HOUSE BILL NO. 1253, by Representatives Belcher, Allen, Jacobsen, Sayan, Niemi, Sutherland, Galloway, Locke, Heck, Powers, Lux and Ebersole

Creating an employee exchange program.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1159, by Representatives Niemi, Hankins, Sommers, Johnson, Galloway, Sayan, Walk and Miller (by Office of Financial Management request)

Establishing uniform compensation for boards and commissions.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1248, by Representatives Vekich, Hankins, Niemi and J. Williams

Modifying procedures for discipline of state patrol officers.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1210, by Representatives Walk, Schmidt, Sutherland, Betrozoff, Mitchell, Wilson, Clayton, Brough and Schoon (by Department of Transportation request)

Adding twelve civil service exempt positions for ferry management.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1210 was substituted for House Bill No. 1210, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1210 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1129, by Representatives D. Nelson, Niemi, R. King, Hankins, Lux, Isaacson, Rust, Tanner, Haugen, Heck, Belcher, Brough, McMullen, Brekke, Burns, Halsan and Powers

Permitting cities and counties to decide not to include nuclear attack evacuation plans in their emergency service plans.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1146, by Representatives Walk, Wilson, Van Loven and Clayton

Enacting the department of transportation reference act of 1984.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1146 was substituted for House Bill No. 1146, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1146 was read the second time and passed to Committee on Rules for third reading.

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 448, by Committee on Social & Health Services (originally sponsored by Representatives Todd, Addison, Belcher, Lewis, D. Nelson, McDonald, Mitchell, Brekke, Ballard, Johnson, Crane, Lux, Charnley, McMullen, Fisher, Ebersole, Holland, Wang, Patrick, Garrett, Taylor, Jacobsen, Miller, Silver and Brough)

Modifying the disabled parking laws.

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

Mr. Todd spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 448, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland,

Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Crane, Lux, Tanner - 3.

Excused: Representative Schoon - 1.

Second Substitute House Bill No. 448, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1179, by Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Dellwo, Lewis, Stratton, Ballard, Fiske, B. Williams and West)

Providing assessment procedures for the cost analysis of mandated health coverages.

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

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1179, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Crane, Lux, Tanner - 3.

Excused: Representative Schoon - 1.

Substitute House Bill No. 1179, having received the 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 Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE BILL NO. 1259 was rereferred from Committee on Local Government to Committee on Judiciary.

On motion of Mr. Heck, HOUSE BILL NO. 1406 was rereferred from Committee on Natural Resources to Committee on Ways & Means.

On motion of Mr. Heck, SENATE BILL NO. 3074 was rereferred from Committee on Social & Health Services to Committee on Ways & Means.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-105, by Representatives Tilly and Ballard

WHEREAS, The Wenatchee High School girls' volleyball team is the 1983-84 State AAA Champion; and

WHEREAS, This is the first bona fide state team championship for Wenatchee High School; and

WHEREAS, This team overcame numerous internal struggles to achieve its long-sought goals; and

WHEREAS, The players showed their fellow students and the entire community what can be accomplished through a positive team effort; and

WHEREAS, Their sportswoman-like conduct enabled them to keep going despite suffering a few losses; and

WHEREAS, The coach, Jeff Lucas, led the team members to believe in themselves and to set their goals high;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor the Wenatchee High School girls' volleyball team for achieving the State AAA Championship; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Jeff Lucas, Head Coach of the Wenatchee Panthers; Assistant Coach Marlyn Stuart; Managers Lisa Farance and Julie Ostenson; and team members Diane Harper, Laura Black, Cathy Kuntz, Errin Seale, Stacy Pratt, Trina Hope, Julie Bernier, Lorinda Larsen, Gina Dobson, Lisa Brender, Sharon Fitzhugh, Shauna Thompson, and Lori Harper.

Representatives Tilly and Ballard spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-106, by Representatives Smitherman and Wang

WHEREAS, The Air Canada Silver Broom is the "Superbowl" for curling enthusiasts worldwide; and

WHEREAS, The Air Canada Silver Broom curling tournament draws ten competing teams and devoted fans from many nations to compete over an eight-day period in tournament fashion until a single winner emerges; and

WHEREAS, The sport of curling which originated in Scotland now looks to Canada, our friendly neighbor to the north, as the playing capital of the world; and

WHEREAS, The International Curling Federation, the Royal Caledonian Curling Club, and the Air Canada Silver Broom executive body have sent emissaries to consider the cities of Seattle and Tacoma to host the 1986 Air Canada Silver Broom contests in the Tacoma Dome; and

WHEREAS, The Air Canada Silver Broom will bring to the Puget Sound region and the State of Washington economic benefit in the hospitality industry and contribute to international trade; and

WHEREAS, The expected seven thousand to ten thousand multinational devoted fans attending will contribute to improving international understanding and good will; and

WHEREAS, To host the Air Canada Silver Broom in Washington State will provide worldwide media exposure for the natural beauty and quality of life in Washington State as press from competing and interested nations attend; and

WHEREAS, Support for hosting the Air Canada Silver Broom has been offered by the Mayors of the Cities of Seattle and Tacoma, the Governor of the State of Washington, the County Executives of King and Pierce Counties, and numerous other dignitaries and officials;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That in the best interests of the state, the House of Representatives recommends and supports the cooperative efforts of the Cities of Seattle and Tacoma to secure the privilege of hosting the 1986 Air Canada Silver Broom in the Tacoma Dome; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington expresses its appreciation for the opportunity to host this notable international competition and takes great pleasure in the opportunity to share the natural beauty and quality of life of Washington State with its anticipated visitors.

On motion of Mr. Smitherman, the resolution was adopted.

MOTION

On motion of Mr. Heck, HOUSE BILL NO. 1490 and HOUSE BILL NO. 1496 were rereferred from Committee on Local Government to Committee on Transportation.

STATEMENTS FOR THE JOURNAL

During the Special Session of 1983 a bill was voted upon by the House of Representatives relating to the enactment of a special election to fill the vacant seat left by the death of Senator Henry M. Jackson.

Unable to attend this session because of pressing business concerns, I now enter my approval to this bill.

PAUL KING, 44th District.

On Monday, January 16, 1984, 2SHJR 29 was voted upon by the House of Representatives. Unable to attend the session because of pressing business concerns, I now lend my voice to the approval of 2SHJR 29.

PAUL KING, 44th District.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Wednesday, January 18, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TENTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, January 18, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tana Bacon and Melody Barnes. Prayer was offered by The Reverend Donald Dawson, Minister of the Presbyterian Church of Lacey.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

INTERIM COMMITTEE ASSIGNMENTS

The Speaker announced the following committee assignments:
Legislative Transportation Committee, Representative Sutherland;
Joint Administrative Rules Committee, Representative Moon.

FIRST READING

HB 1527 by Representatives Wang, Armstrong, McMullen, Patrick, Dellwo, Schoon, Johnson, Holland, Miller, Clayton, Allen and Long

AN ACT Relating to domestic violence; amending section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 1, chapter 106, Laws of 1981 and RCW 10.31.100; amending section 2, chapter 105, Laws of 1979 ex. sess. and RCW 10.99.020; amending section 3, chapter 105, Laws of 1979 ex. sess. as amended by section 5, chapter 145, Laws of 1981 and RCW 10.99.030; amending section 4, chapter 105, Laws of 1979 ex. sess. as last amended by section 7, chapter 232, Laws of 1983 and RCW 10.99.040; amending section 7, chapter 145, Laws of 1981 as amended by section 8, chapter 232, Laws of 1983 and RCW 10.99.045; amending section 5, chapter 105, Laws of 1979 ex. sess. and RCW 10.99.050; amending section 8, chapter 145, Laws of 1981 as amended by section 9, chapter 232, Laws of 1983 and RCW 10.99.055; amending section 6, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.09-.060; amending section 1, chapter 99, Laws of 1974 ex. sess. and RCW 26.09.300; adding a new chapter to Title 26 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1563 by Representatives Padden, Appelwick, Stratton, Miller, J. Williams, Van Luven, Dickie, Cantu, Sanders, Patrick, P. King, Bond, Johnson, Clayton and Egger

AN ACT Relating to education; amending section 28A.05.010, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 71, Laws of 1969 and RCW 28A.05.010; and amending section 28A.67.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.110.

Referred to Committee on Education.

HB 1564 by Representatives Kreidler, Wang, Garrett and Powers

AN ACT Relating to health care benefits; adding new sections to chapter 48.21 RCW; adding new sections to chapter 48.44 RCW; adding new sections to chapter 48.46 RCW; creating a new section; repealing section 2, chapter 10, Laws of 1980 and RCW 48.21.210; repealing section 3, chapter 10, Laws of 1980 and RCW 48.44.280; repealing section 4, chapter 10, Laws of 1980 and RCW 48.46.065; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1565 by Representatives Belcher, Locke, Armstrong, Niemi, Fisher, Jacobsen, Tanner and Powers

AN ACT Relating to strip searches; and adding new sections to chapter 10.79 RCW.

Referred to Committee on Judiciary.

HB 1566 by Representatives Prince and Egger

AN ACT Relating to a loan program for medical students; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1567 by Representative O'Brien

AN ACT Relating to insurance; and amending section .15.04, chapter 79, Laws of 1947 as amended by section 4, chapter 32, Laws of 1983 1st ex. sess. and RCW 48.15.040.

Referred to Committee on Financial Institutions & Insurance.

HB 1568 by Representatives L. Smith, Miller, B. Williams, Prince, Padden, Tilly, Bond, West and Cantu

AN ACT Relating to local sales and use taxes; and amending section 4, chapter 94, Laws of 1970 ex. sess. as amended by section 17, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.030.

Referred to Committee on Ways & Means.

HB 1569 by Representative McMullen

AN ACT Relating to the county treasurer; and amending section 36.29.180, chapter 4, Laws of 1963 and RCW 36.29.180.

Referred to Committee on Local Government.

HB 1570 by Representatives Jacobsen and Belcher

AN ACT Relating to pesticide application; adding a new section to chapter 17.21 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

HB 1571 by Representatives Todd, Niemi, Hankins, Barrett and Ballard

AN ACT Relating to building inspectors; and amending section 5, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.050.

Referred to Committee on State Government.

HB 1572 by Representatives Hankins, Wilson, Johnson, Barrett, Struthers, Schmidt, Patrick, Betrozoff, Miller, Mitchell, Lewis, Long, Allen, Hastings, Fiske, J. Williams, Taylor and West

AN ACT Relating to veterans; amending section 1, chapter 269, Laws of 1969 ex. sess. as last amended by section 1, chapter 230, Laws of 1983 and RCW 41.04.005; amending section 4, chapter 53, Laws of 1982 1st ex. sess. as amended by section 5, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.150; and amending section 1, chapter 84, Laws of 1895 as last amended by section 1, chapter 198, Laws of 1975 1st ex. sess. and RCW 73.16.010.

Referred to Committee on State Government.

HB 1573 by Representative Tilly

AN ACT Relating to excise taxes; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

HB 1574 by Representatives Locke, Armstrong, Padden, Crane, Halsan and McMullen

AN ACT Relating to sentencing powers of courts of limited jurisdiction; amending section 117, chapter 299, Laws of 1961 as last amended by section 176, chapter 46, Laws of 1983 1st ex. sess. and RCW 3.66.060; and amending section 35.20.030, chapter 7, Laws of 1965 as amended by section 23, chapter 136, Laws of 1979 ex. sess. and RCW 35.20.030.

Referred to Committee on Judiciary.

HB 1575 by Representatives Isaacson, Tilly and Sanders

AN ACT Relating to electric generating project capability; amending section 35.22-.280, chapter 7, Laws of 1965 as last amended by section 20, chapter 316, Laws of 1977 ex. sess. and RCW 35.22.280; amending section 35.23.440, chapter 7, Laws of 1965 as last amended by section 28, chapter 136, Laws of 1979 ex. sess. and RCW 35.23.440; amending section 35.24.410, chapter 7, Laws of 1965 and RCW 35.24.410; amending section 35.92.010, chapter 7, Laws of 1965 and RCW 35.92.010; amending section 43.52.300, chapter 8, Laws

of 1965 as last amended by section 4, chapter 184, Laws of 1977 ex. sess. and RCW 43.52-.300; amending section 43.52.410, chapter 8, Laws of 1965 as last amended by section 1, chapter 308, Laws of 1983 and RCW 43.52.410; amending section 5, chapter 390, Laws of 1955 and RCW 54.16.040; amending section 2, chapter 138, Laws of 1923 as last amended by section 2, chapter 185, Laws of 1979 ex. sess. and RCW 87.03.015; adding a new section to chapter 80.28 RCW; and adding a new section to chapter 43.52 RCW.

Referred to Committee on Energy & Utilities.

HB 1576 by Representative Lux

AN ACT Relating to minimum wages; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Labor.

HB 1577 by Representatives D. Nelson and Locke

AN ACT Relating to energy and resource recovery; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 1578 by Representatives Sanders, Zellinsky, J. Williams, West, Clayton, Barnes, Schoon, Van Luven, Isaacson, Mitchell and Egger

AN ACT Relating to compulsory school attendance; amending section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 59, Laws of 1980 and RCW 28A.27.010; amending section 28A.27.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 56, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.27.040; and amending section 28A.27.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.090.

Referred to Committee on Education.

HB 1579 by Representative O'Brien

AN ACT Relating to insurance; and amending section .15.04, chapter 79, Laws of 1947 as amended by section 4, chapter 32, Laws of 1983 1st ex. sess. and RCW 48.15.040.

Referred to Committee on Financial Institutions & Insurance.

HB 1580 by Representatives Armstrong, Hine, D. Nelson, Jacobsen, Halsan, Lux, Charnley, Crane, Garrett, Todd, Rust, Powers, Moon, Tanner, Scott, Isaacson and Kreidler

AN ACT Relating to limiting charges for access to telephone service, requiring certain reports and studies, and extending regulatory jurisdiction; amending section 80.01-.100, chapter 14, Laws of 1961 and RCW 80.01.100; amending section 80.04.010, chapter 14, Laws of 1961 as last amended by section 10, chapter 191, Laws of 1979 ex. sess. and RCW 80.04.010; adding new sections to chapter 80.36 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 1581 by Representatives Rust, Patrick, Lux, Belcher and Garrett (by Department of Ecology request)

AN ACT Relating to hazardous waste; amending section 9, chapter 101, Laws of 1975-'76 2nd ex. sess. as amended by section 3, chapter 172, Laws of 1983 and RCW 70.105.090; amending section 2, chapter 270, Laws of 1983 and RCW 70.105.145; and amending section 11, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.110.

Referred to Committee on Environmental Affairs.

HB 1582 by Representatives Hine, Armstrong, O'Brien, Holland, P. King, Tilly, Van Dyken, Scott, Haugen, Wang, Garrett, Dellwo, D. Nelson, Appelwick, Schoon, R. King, Tanner, Isaacson, Johnson, Miller, Todd, Addison, Powers and Long

AN ACT Relating to funding for enforcement of laws against driving while intoxicated; and amending section 19, chapter 165, Laws of 1983 and RCW 46.68.055.

Referred to Committee on Judiciary.

HB 1583 by Representatives McMullen, Haugen, Stratton, Mitchell, Wilson, Tanner, Miller, Clayton and Long

AN ACT Relating to cooperative nonprofit salmon egg resource centers for the purpose of salmon propagation and enhancement; and adding a new chapter to Title 75 RCW.

Referred to Committee on Natural Resources.

HB 1584 by Representatives Grimm, Gallagher, Powers, Ebersole, Broback, Walk, Fisher, Johnson, Wang and Schoon

AN ACT Relating to the protection of municipal water supply sources; amending section 1, chapter 255, Laws of 1927 and RCW 79.01.004; adding new sections to chapter 79.01 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Local Government.

HB 1585 by Representatives Niemi, B. Williams and Tanner (by Department of Commerce and Economic Development request)

AN ACT Relating to the department of commerce and economic development; amending section 43.31.010, chapter 8, Laws of 1965 and RCW 43.31.010; amending section 43.31.030, chapter 8, Laws of 1965 and RCW 43.31.030; amending section 2, chapter 93, Laws of 1972 ex. sess. as last amended by section 1, chapter 2, Laws of 1981 2nd ex. sess. and RCW 43.31.832; amending section 28, chapter 197, Laws of 1983 and RCW 43.131.258; adding new sections to chapter 43.31 RCW; repealing section 43.31.050, chapter 8, Laws of 1965, section 53, chapter 75, Laws of 1977 and RCW 43.31.050; repealing section 43.31.060, chapter 8, Laws of 1965 and RCW 43.31.060; repealing section 43.31.080, chapter 8, Laws of 1965 and RCW 43.31.080; repealing section 43.31.120, chapter 8, Laws of 1965 and RCW 43.31.120; repealing section 43.31.130, chapter 8, Laws of 1965, section 110, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.31.130; repealing section 43.31.140, chapter 8, Laws of 1965 and RCW 43.31.140; repealing section 43.31.150, chapter 8, Laws of 1965 and RCW 43.31.150; repealing section 1, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.915; repealing section 2, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.920; repealing section 3, chapter 70, Laws of 1977 ex. sess., section 9, chapter 6, Laws of 1982 and RCW 43.31.925; repealing section 4, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.930; and repealing section 5, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.935.

Referred to Committee on State Government.

HB 1586 by Representative J. King

AN ACT Relating to variable contracts; and amending section 5, chapter 104, Laws of 1969 as last amended by section 150, chapter 3, Laws of 1983 and RCW 48.18A.050.

Referred to Committee on Financial Institutions & Insurance.

HB 1587 by Representatives Kreidler, Fiske, Mitchell and Long

AN ACT Relating to the hospital commission; amending section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030; amending section 5, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 36, Laws of 1977 and RCW 70.39.040; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100; amending section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120; amending section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150; amending section 11, chapter 161, Laws of 1979 ex. sess. as last amended by section 8, chapter 235, Laws of 1983 and RCW 70.38.115; amending section 9, chapter 223, Laws of 1982 and RCW 43.131.253; amending section 10, chapter 223, Laws of 1982 and RCW 43.131.254; making an appropriation; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 1588 by Representatives Kreidler and Fiske

AN ACT Relating to health care costs; amending section 2, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.010; amending section 3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020; amending section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030; amending section 5, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 36, Laws of 1977 and RCW 70.39.040; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 9, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.080; amending section 10, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.090; amending section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100; amending section 12, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.110; amending section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120; amending section 14, chapter 5, Laws of 1973 1st ex. sess. as amended by section 82, chapter 75, Laws of 1977 and RCW

70.39.130; amending section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140; amending section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150; amending section 17, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.160; amending section 11, chapter 161, Laws of 1979 ex. sess. as last amended by section 8, chapter 235, Laws of 1983 and RCW 70.38.115; amending section 9, chapter 223, Laws of 1982 and RCW 43.131.253; amending section 10, chapter 223, Laws of 1982 and RCW 43.131.254; adding new sections to chapter 70.39 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 1589 by Representatives Brekke, Smitherman, J. King, O'Brien, Braddock, Wang, Haugen, Todd, Tanner, Tilly, Addison and Powers

AN ACT Relating to public assistance; adding a new chapter to Title 74 RCW; creating a new section; and making an appropriation.

Referred to Committee on Social & Health Services.

HB 1590 by Representatives L. Smith, Miller, West, Brough, Bond, Fuhrman, Padden, B. Williams, Cantu, Tilly and Isaacson

AN ACT Relating to referendum procedures on local taxation; amending section 6, chapter 99, Laws of 1983 and RCW 35.21.706; and amending section 3, chapter 99, Laws of 1983 and RCW 82.46.021.

Referred to Committee on Local Government.

HB 1591 by Representative Appelwick

AN ACT Relating to educational clinics; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.97 RCW

Referred to Committee on Education.

HB 1592 by Representatives D. Nelson, Isaacson, Lux, Allen, Locke, Moon, Tilly, Todd and Sanders

AN ACT Relating to joint operating agencies; adding a new chapter to Title 43 RCW; creating new sections; repealing section 43.52.250, chapter 8, Laws of 1965, section 1, chapter 184, Laws of 1977 ex. sess., section 1, chapter 1, Laws of 1981 1st ex. sess., section 1, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.250; repealing section 43.52.260, chapter 8, Laws of 1965, section 2, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.260; repealing section 43.52.272, chapter 8, Laws of 1965 and RCW 43.52.272; repealing section 43.52.290, chapter 8, Laws of 1965, section 3, chapter 184, Laws of 1977 ex. sess., section 5, chapter 43, Laws of 1982 1st ex. sess., section 1, chapter 3, Laws of 1983 1st ex. sess. and RCW 43.52.290; repealing section 43.52.300, chapter 8, Laws of 1965, section 1, chapter 37, Laws of 1975 1st ex. sess., section 4, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.300; repealing section 43.52.3411, chapter 8, Laws of 1965, section 2, chapter 1, Laws of 1981 1st ex. sess., section 116, chapter 167, Laws of 1983 and RCW 43.52.3411; repealing section 43.52.343, chapter 8, Laws of 1965, section 3, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.343; repealing section 43.52.350, chapter 8, Laws of 1965, section 5, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.350; repealing section 43.52.360, chapter 8, Laws of 1965, section 6, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.360; repealing section 43.52.370, chapter 8, Laws of 1965, section 7, chapter 184, Laws of 1977 ex. sess., section 1, chapter 3, Laws of 1981 1st ex. sess., section 2, chapter 43, Laws of 1982 1st ex. sess., section 2, chapter 3, Laws of 1983 1st ex. sess. and RCW 43.52.370; repealing section 43.52.373, chapter 8, Laws of 1965, section 6, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.373; repealing section 2, chapter 3, Laws of 1981 1st ex. sess., section 3, chapter 43, Laws of 1982 1st ex. sess., section 3, chapter 3, Laws of 1983 1st ex. sess. and RCW 43.52.374; repealing section 43.52.375, chapter 8, Laws of 1965, section 3, chapter 3, Laws of 1981 1st ex. sess., section 7, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.375; repealing section 1, chapter 220, Laws of 1979 ex. sess., section 4, chapter 3, Laws of 1981 1st ex. sess., section 8, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.378; repealing section 5, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.379; repealing section 43.52.380, chapter 8, Laws of 1965 and RCW 43.52.380; repealing section 4, chapter 3, Laws of 1983 1st ex. sess. and RCW 43.52.383; repealing section 9, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.385; repealing section 43.52.391, chapter 8, Laws of 1965, section 8, chapter 184, Laws of 1977 ex. sess., section 1, chapter 1, Laws of 1982 and RCW 43.52.391; repealing section 2, chapter 1, Laws of 1982 and RCW 43.52.395; repealing section 43.52.410, chapter 8, Laws of 1965, section 9, chapter 184, Laws of 1977 ex. sess., section 1, chapter 308, Laws of 1983 and RCW 43.52.410; repealing section 43.52.430, chapter 8, Laws of 1965, section 113, chapter 81, Laws of 1971, section 10, chapter 184, Laws of 1977 ex. sess. and RCW

43.52.430; repealing section 43.52.440, chapter 8, Laws of 1965, section 178, chapter 46, Laws of 1983 1st ex. sess. and RCW 43.52.440; repealing section 43.52.450, chapter 8, Laws of 1965, section 11, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.450; repealing section 43.52.460, chapter 8, Laws of 1965, section 1, chapter 75, Laws of 1971 ex. sess. and RCW 43.52.460; repealing section 43.52.470, chapter 8, Laws of 1965 and RCW 43.52.470; repealing section 2, chapter 28, Laws of 1977 ex. sess., section 1, chapter 173, Laws of 1981 and RCW 43.52.490; repealing section 2, chapter 173, Laws of 1981 and RCW 43.52.495; repealing section 3, chapter 173, Laws of 1981 and RCW 43.52.500; repealing section 4, chapter 173, Laws of 1981 and RCW 43.52.505; repealing section 5, chapter 173, Laws of 1981 and RCW 43.52.510; repealing section 6, chapter 173, Laws of 1981 and RCW 43.52.515; repealing section 1, chapter 301, Laws of 1981 and RCW 43.52.520; repealing section 2, chapter 301, Laws of 1981 and RCW 43.52.525; repealing section 3, chapter 301, Laws of 1981 and RCW 43.52.530; repealing section 4, chapter 301, Laws of 1981 and RCW 43.52.535; repealing section 4, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.550; repealing section 1, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.600; repealing section 2, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.603; repealing section 3, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.606; repealing section 4, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.609; repealing section 5, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.612; repealing section 6, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.615; repealing section 7, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.618; repealing section 8, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.621; repealing section 43.52.910, chapter 8, Laws of 1965 and RCW 43.52.910; providing an effective date; and providing an expiration date.

Referred to Committee on Energy & Utilities.

HB 1593 by Representatives Walk, Wilson, Clayton and Egger

AN ACT Relating to abandoned, unauthorized, and disabled vehicles; creating a new chapter in Title 46 RCW; repealing section 3, chapter 42, Laws of 1969 ex. sess., section 7, chapter 178, Laws of 1979 ex. sess., section 2, chapter 185, Laws of 1981 and RCW 46.52.102; repealing section 39, chapter 281, Laws of 1969 ex. sess., section 164, chapter 158, Laws of 1979, section 8, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.104; repealing section 4, chapter 42, Laws of 1969 ex. sess., section 40, chapter 281, Laws of 1969 ex. sess., section 9, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.106; repealing section 5, chapter 42, Laws of 1969 ex. sess., section 44, chapter 281, Laws of 1969 ex. sess., section 165, chapter 158, Laws of 1979, section 10, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.108; repealing section 4, chapter 148, Laws of 1980 and RCW 46.52.110; repealing section 7, chapter 42, Laws of 1969 ex. sess., section 41, chapter 281, Laws of 1969 ex. sess., section 167, chapter 158, Laws of 1979, section 12, chapter 178, Laws of 1979 ex. sess., section 1, chapter 274, Laws of 1983 and RCW 46.52.111; repealing section 8, chapter 42, Laws of 1969 ex. sess., section 42, chapter 281, Laws of 1969 ex. sess., section 168, chapter 158, Laws of 1979, section 13, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.112; repealing section 9, chapter 42, Laws of 1969 ex. sess., section 169, chapter 158, Laws of 1979, section 14, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.113; repealing section 10, chapter 42, Laws of 1969 ex. sess., section 15, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.114; repealing section 2, chapter 42, Laws of 1969 ex. sess., section 45, chapter 281, Laws of 1969 ex. sess., section 170, chapter 158, Laws of 1979, section 16, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.115; repealing section 11, chapter 42, Laws of 1969 ex. sess., section 171, chapter 158, Laws of 1979, section 17, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.116; repealing section 12, chapter 42, Laws of 1969 ex. sess., section 43, chapter 281, Laws of 1969 ex. sess., section 172, chapter 158, Laws of 1979 and RCW 46.52.117; repealing section 1, chapter 281, Laws of 1975 1st ex. sess., section 2, chapter 274, Laws of 1983 and RCW 46.52.118; repealing section 1, chapter 208, Laws of 1969 ex. sess., section 2, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.119; repealing section 3, chapter 281, Laws of 1975 1st ex. sess., section 173, chapter 158, Laws of 1979 and RCW 46.52.1192; repealing section 4, chapter 281, Laws of 1975 1st ex. sess., section 3, chapter 274, Laws of 1983 and RCW 46.52.1194; repealing section 4, chapter 274, Laws of 1983 and RCW 46.52.1195; repealing section 5, chapter 281, Laws of 1975 1st ex. sess., section 5, chapter 274, Laws of 1983 and RCW 46.52.1196; repealing section 6, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.1198; repealing section 1, chapter 111, Laws of 1971 ex. sess., section 18, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.145; repealing section 2, chapter 111, Laws of 1971 ex. sess., section 174, chapter 158, Laws of 1979, section 19, chapter 178, Laws of 1979 ex. sess., section 6, chapter 274, Laws of 1983 and RCW 46.52.150; repealing section 3, chapter 111, Laws of 1971 ex. sess. and RCW 46.52.160; repealing section 2, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.170; repealing section 3, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.180; repealing section 4, chapter 178, Laws of 1979 ex. sess., section 7, chapter 274, Laws of 1983 and RCW 46.52.190; repealing section 5, chapter 178, Laws of 1979 ex. sess., section 8, chapter 274, Laws of

1983 and RCW 46.52.200; repealing section 6, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.210; and prescribing penalties.

Referred to Committee on Transportation.

HB 1594 by Representatives Sanders, Patrick, Hastings, Padden, Addison, Tilly, Fuhrman, Ballard, Clayton, Nealey, C. Smith, Schmidt, J. Williams, Broback, Barrett, Dickie, G. Nelson, Van Luven, Brough, West, Chandler, Fiske, Barnes, B. Williams, Vander Stoep, Isaacson, Lewis, Cantu, Johnson, Silver, Wilson, Mitchell, L. Smith, Holland, Bond, Schoon and Taylor

AN ACT Relating to the reduction of excise taxes; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 41, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.08.020; amending section 3, chapter 65, Laws of 1970 ex. sess. as last amended by section 1, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.2901; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 6, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.02.030; amending section 3, chapter 9, Laws of 1983 as amended by section 3, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.2904; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1984 act and RCW 82.04.2901; repealing section 3, chapter 9, Laws of 1983, section 3, chapter 3, Laws of 1983 2nd ex. sess., section 6 of this 1984 act and RCW 82.04.2904; and providing effective dates.

Referred to Committee on Ways & Means.

HB 1595 by Representatives G. Nelson, Bond, Struthers, Sanders, Clayton, Wilson, West, Silver, C. Smith, Fuhrman, Van Luven, Ballard, Nealey, Fuhrman, J. Williams and Long

AN ACT Relating to industrial insurance; amending section 51.08.100, chapter 23, Laws of 1961 and RCW 51.08.100; amending section 51.08.160, chapter 23, Laws of 1961 as amended by section 13, chapter 350, Laws of 1977 ex. sess. and RCW 51.08.160; amending section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020; amending section 2, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 203, Laws of 1983 and RCW 51.32.075; amending section 11, chapter 14, Laws of 1980 and RCW 51.32.110; and amending section 51.32.160, chapter 23, Laws of 1961 as amended by section 1, chapter 192, Laws of 1973 1st ex. sess. and RCW 51.32.160.

Referred to Committee on Labor.

HB 1596 by Representatives Stratton, West, Barrett, Egger and Silver

AN ACT Relating to professional licensing; amending section 2, chapter 112, Laws of 1935 as last amended by section 1, chapter 38, Laws of 1979 and RCW 18.32.035; amending section 5, chapter 112, Laws of 1935 as amended by section 2, chapter 38, Laws of 1979 and RCW 18.32.040; amending section 27, chapter 16, Laws of 1923 as last amended by section 1, chapter 235, Laws of 1971 ex. sess. and RCW 18.29.050; amending section 31, chapter 16, Laws of 1923 as last amended by section 4, chapter 277, Laws of 1981 and RCW 18.29.060; amending section 34, chapter 16, Laws of 1923 and RCW 18.29.080; amending section 1, chapter 99, Laws of 1981 and RCW 18.32.055; amending section 21, chapter 112, Laws of 1935 and RCW 18.32.070; amending section 14, chapter 112, Laws of 1935 and RCW 18.32.220; amending section 8, chapter 112, Laws of 1935 as amended by section 30, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.230; amending section 7, chapter 93, Laws of 1953 as last amended by section 31, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.350; amending section 23, chapter 112, Laws of 1935 as amended by section 32, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.380; amending section 5, chapter 93, Laws of 1953 as last amended by section 28, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.32.120; amending section 28, chapter 16, Laws of 1923 as last amended by section 30, chapter 158, Laws of 1979 and RCW 18.29.020; amending section 27, chapter 52, Laws of 1957 as amended by section 6, chapter 277, Laws of 1981 and RCW 18.32.090; amending section 4, chapter 112, Laws of 1935 as last amended by section 28, chapter 52, Laws of 1957 and RCW 18.32.100; amending section 13, chapter 112, Laws of 1935 as last amended by section 32, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.32.210; amending section 1, chapter 130, Laws of 1951 as last amended by section 35, chapter 158, Laws of 1979 and RCW 18.32.030; amending section 1, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.510; amending section 2, chapter 5, Laws of 1977 ex. sess. as amended by section 36, chapter 158, Laws of 1979 and RCW 18.32.520; amending section 6, chapter 5, Laws of 1977 ex.

sess. and RCW 18.32.560; amending section 7, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.570; amending section 12, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.620; amending section 14, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.640; amending section 15, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.650; amending section 20, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.700; adding new sections to chapter 18.29 RCW; adding new sections to chapter 18.32 RCW; repealing section 14, chapter 168, Laws of 1983 and RCW 18.29.031; making an appropriation; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1597 by Representatives Vekich and Fisher

AN ACT Relating to pilots and pilotage; adding a new section to chapter 86.16 RCW; repealing section 2, chapter 196, Laws of 1981 and RCW 88.16.116; repealing section 3, chapter 196, Laws of 1981 and RCW 88.16.117; and declaring an emergency.

Referred to Committee on Transportation.

HB 1598 by Representatives Isaacson, D. Nelson, Tilly, Sanders and Miller

AN ACT Relating to an interstate compact on energy development and financing; and adding a new chapter to Title 43 RCW.

Referred to Committee on Energy & Utilities.

HB 1599 by Representatives Ebersole and Halsan

AN ACT Relating to the teachers' retirement system; amending section 30, chapter 80, Laws of 1947 as last amended by section 5, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.300; amending section 31, chapter 80, Laws of 1947 as last amended by section 1, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.310; and amending section 32, chapter 80, Laws of 1947 as last amended by section 6, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.320.

Referred to Committee on Ways & Means.

HB 1600 by Representatives Brekke, O'Brien, Braddock, Sayan, Fisch, Rust, Todd and Grimm

AN ACT Relating to veterans; amending section 7, chapter 186, Laws of 1977 ex. sess. and RCW 72.36.120; amending section 8, chapter 186, Laws of 1977 ex. sess. and RCW 72.36.130; and adding a new section to chapter 72.36 RCW.

Referred to Committee on Social & Health Services.

HB 1601 by Representatives D. Nelson, Lux, Jacobsen, Fisher, Burns and Brekke

AN ACT Relating to economic development; adding a new chapter to Title 43 RCW; adding a new section to chapter 28C.04 RCW; adding a new section to chapter 82.04 RCW; creating new sections; making appropriations; and providing an effective date.

Referred to Committee on Commerce & Economic Development.

HB 1602 by Representative O'Brien

AN ACT Relating to leasehold excise taxation; and amending section 5, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.050.

Referred to Committee on Ways & Means.

HB 1603 by Representatives Wang, Smitherman and Fisher

AN ACT Relating to first class cities; and adding a new section to chapter 35.22 RCW.

Referred to Committee on Local Government.

HB 1604 by Representatives Kaiser, C. Smith and Clayton

AN ACT Relating to the passage of title to and the foreclosing of liens on agricultural commodities; amending section 50, chapter 305, Laws of 1983 and RCW 22.09.371; amending section 2-401, chapter 157, Laws of 1965 ex. sess. and RCW 62A.2-401; amending section 2-403, chapter 157, Laws of 1965 ex. sess. as amended by section 8, chapter 114, Laws of 1967 and RCW 62A.2-403; and adding a new section to chapter 22.09 RCW.

Referred to Committee on Agriculture.

HB 1605 by Representatives Kreidler, Lewis, Isaacson, Miller and Hankins

AN ACT Relating to social services; and amending section 3, chapter 172, Laws of 1967 as last amended by section 6, chapter 118, Laws of 1982 and RCW 74.15.030.

Referred to Committee on Social & Health Services.

HB 1606 by Representatives Tilly, Schmidt, G. Nelson, Struthers, Barnes, Patrick, Schoon, Fuhrman, Bond, Nealey, Broback, Chandler, Dickie, C. Smith, Sanders, Van Luven, West, Holland, Clayton, Wilson, Cantu, B. Williams, Hastings, Barrett, Isaacson, Johnson, Addison, J. Williams and Silver

AN ACT Relating to the reduction of sales and use taxes; amending section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 41, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.08.020; adding a new section to chapter 43.88 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1607 by Representatives Struthers, Hankins, Prince, Clayton, Hastings, Lewis and Isaacson

AN ACT Relating to third party actions in industrial insurance; and amending section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030.

Referred to Committee on Labor.

HB 1608 by Representative B. Williams

AN ACT Relating to employee compensation; amending section 1, chapter 32, Laws of 1909 and RCW 49.48.090; amending section 13, chapter 264, Laws of 1969 ex. sess. as last amended by section 5, chapter 193, Laws of 1981 and RCW 7.33.130; adding a new section to chapter 7.33 RCW; and adding a new section to chapter 49.48 RCW.

Referred to Committee on Labor.

HB 1609 by Representatives Kreidler, Wang and Jacobsen

AN ACT Relating to health; creating new sections; and making an appropriation.

Referred to Committee on Social & Health Services.

HB 1610 by Representatives Moon and Tanner

AN ACT Relating to elections; creating a new section; adding new sections to chapter 42.17 RCW; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 1611 by Representatives Kreidler and Lewis (by Department of Social and Health Services request)

AN ACT Relating to the state advisory committee to the department of social and health services; amending section 13, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.370; amending section 14, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.375; repealing section 37, chapter 99, Laws of 1979 and RCW 43.131.221; and repealing section 79, chapter 99, Laws of 1979 and RCW 43.131.222.

Referred to Committee on Social & Health Services.

HB 1612 by Representative McClure

AN ACT Relating to naturopathic physicians; and adding a new section to chapter 18.36 RCW.

Referred to Committee on Social & Health Services.

HB 1613 by Representatives Powers, Sutherland, Burns, Jacobsen, McMullen, Fisch, D. Nelson, Kreidler, Smitherman, Ebersole, Taylor, Wang, Tanner, Miller, Todd and Allen

AN ACT Relating to the Washington award for vocational excellence; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1614 by Representatives O'Brien, Isaacson, Powers and Egger

AN ACT Relating to excise taxation; adding a new section to chapter 82.04 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

HB 1615 by Representatives J. King, Heck, Zellinsky, Tanner and Sutherland

AN ACT Relating to enforcement of existing state fireworks laws; amending section 2, chapter 230, Laws of 1982 and RCW 70.77.131; amending section 3, chapter 230, Laws of 1982 and RCW 70.77.136; amending section 27, chapter 228, Laws of 1961 as amended by section 12, chapter 230, Laws of 1982 and RCW 70.77.250; amending section 38, chapter 228, Laws of 1961 as amended by section 18, chapter 230, Laws of 1982 and RCW 70.77.305; amending section 42, chapter 228, Laws of 1961 as amended by section 21, chapter 230, Laws of 1982 and RCW 70.77.325; amending section 49, chapter 228, Laws of 1961 as amended by section 27, chapter 230, Laws of 1982 and RCW 70.77.360; amending section 65, chapter 228, Laws of 1961 and RCW 70.77.440; adding a new section to chapter 70.77 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1616 by Representatives Tanner, Silver, Dellwo, Barrett, Isaacson, Todd, B. Williams and Egger

AN ACT Relating to the Washington State University small business development center; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1617 by Representatives Sanders, Lux, Zellinsky, West, Cantu, Hankins, Wang and Ballard

AN ACT Relating to financial institutions; amending section 11, chapter 301, Laws of 1977 ex. sess. and RCW 30.04.505; amending section 12, chapter 301, Laws of 1977 ex. sess. and RCW 30.04.510; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

HB 1618 by Representatives D. Nelson and Locke

AN ACT Relating to waste management systems and energy recovery; and amending section 4, chapter 159, Laws of 1980 and RCW 43.99F.040.

Referred to Committee on Environmental Affairs.

HB 1619 by Representatives Sutherland, R. King and Ebersole

AN ACT Relating to industrial insurance; and amending section 51.28.070, chapter 23, Laws of 1961 as last amended by section 36, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.070.

Referred to Committee on Labor.

HB 1620 by Representatives Kreidler, West, Zellinsky and Broback

AN ACT Relating to group life insurance; amending section .24.03, chapter 79, Laws of 1947 as last amended by section 11, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.24.030; amending section 1, chapter 44, Laws of 1979 ex. sess. and RCW 48.24.045; and reenacting and amending section .24.06, chapter 79, Laws of 1947 as last amended by section 5, chapter 152, Laws of 1973 1st ex. sess. and by section 8 chapter 163, Laws of 1973 1st ex. sess. and RCW 48.24.060.

Referred to Committee on Financial Institutions & Insurance.

HB 1621 by Representatives Belcher, Barrett, Galloway, Locke and Lux

AN ACT Relating to interpreters; amending section 5, chapter 22, Laws of 1973 and RCW 2.42.050; adding new sections to chapter 2.42 RCW; repealing section 1, chapter 22, Laws of 1973, section 1, chapter 222, Laws of 1983 and RCW 2.42.010; repealing section 2, chapter 22, Laws of 1973, section 2, chapter 222, Laws of 1983 and RCW 2.42.020; repealing section 3, chapter 22, Laws of 1973 and RCW 2.42.030; and repealing section 4, chapter 22, Laws of 1973 and RCW 2.42.040.

Referred to Committee on Judiciary.

HB 1622 by Representatives Grimm, Schoon, Kreidler and Sommers

AN ACT Relating to insurance and health care coverage for school district employees; and amending section 9, chapter 2, Laws of 1983 as amended by section 20, chapter 15, Laws of 1983 and RCW 41.05.050.

Referred to Committee on Financial Institutions & Insurance.

HB 1623 by Representative Tanner

AN ACT Relating to filing as an apprentice for a dispensing optician's license; and amending section 3, chapter 43, Laws of 1957 and RCW 18.34.030.

Referred to Committee on Social & Health Services.

HB 1624 by Representatives Cantu, Patrick, J. Williams, Bond, Chandler, C. Smith, Dickie, West, Fuhrman, L. Smith and Johnson

AN ACT Relating to the disclosure of drivers' license records; and amending section 19, chapter 121, Laws of 1965 ex. sess. as amended by section 55, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.171.

Referred to Committee on Transportation.

HB 1625 by Representatives Jacobsen, Nealey, Barrett, Lewis, Belcher, Ballard, Haugen, Ellis, Lux, Dellwo, Burns, Crane, Fisher, Braddock, Moon, Fisch, Halsan, Scott, Zellinsky, Stratton, Garrett, Galloway, J. King, Todd, Ebersole, Wilson, McClure, Sommers, Vekich, Appelwick, Sryan, Wang, Isaacson, Charnley, Allen, McMullen, Powers and Kaiser

AN ACT Relating to mandatory measured telephone service rates; adding a new section to chapter 80.36 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 1626 by Representative Burns

AN ACT Relating to excellence in higher education.

Referred to Committee on Rules.

HB 1627 by Representatives Locke, Armstrong, Long, Barnes, Wang, Belcher, Tanner, Lux, Isaacson, Miller, Brekke and Addison

AN ACT Relating to domestic support obligations; amending section 1, chapter 10, Laws of 1982 and RCW 6.12.100; amending section 1, chapter 28, Laws of 1913 as last amended by section 34, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.030; amending section 2, chapter 28, Laws of 1913 as last amended by section 35, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.050; amending section 5, chapter 322, Laws of 1959 as last amended by section 20, adding a new section to chapter 26.21 RCW; adding a new section to chapter 26.26 RCW; adding new sections to chapter 26.09 RCW; adding a new chapter to Title 26 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1628 by Representatives J. King and Tanner

AN ACT Relating to the provision of risk management services by the department of labor and industries; and creating a new section.

Referred to Committee on Labor.

HB 1629 by Representatives J. King, Patrick, Braddock, Isaacson, Jacobsen, Hankins, Tanner, Miller and Allen

AN ACT Relating to dental hygienists; amending section 27, chapter 16, Laws of 1923 as last amended by section 1, chapter 235, Laws of 1971 ex. sess. and RCW 18.29.050; amending section 31, chapter 16, Laws of 1923 as last amended by section 4, chapter 277, Laws of 1981 and RCW 18.29.060; amending section 32, chapter 16, Laws of 1923 as last amended by section 33, chapter 158, Laws of 1979 and RCW 18.29.070; amending section 28, chapter 16, Laws of 1923 as last amended by section 30, chapter 158, Laws of 1979 and RCW 18.29.020; adding new sections to chapter 18.29 RCW; creating a new section; repealing section 14, chapter 168, Laws of 1983 and RCW 18.29.031; repealing section 34, chapter 16, Laws of 1923 and RCW 18.29.080; repealing section 35, chapter 16, Laws of

1923 and RCW 18.29.090; repealing section 36, chapter 16, Laws of 1923, section 34, chapter 158, Laws of 1979 and RCW 18.29.100; prescribing penalties; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 1630 by Representatives Wilson, Walk, Betzoff, Egger, Clayton, Fiske, J. Williams and Schmidt

AN ACT Relating to commercial vehicles; and adding a new section to chapter 46.85 RCW.

Referred to Committee on Transportation.

HB 1631 by Representatives McClure, Mitchell, Schoon and Johnson

AN ACT Relating to reduced utility rates for low income citizens; and amending section 1, chapter 116, Laws of 1979 as amended by section 1, chapter 160, Laws of 1980 and RCW 74.38.070.

Referred to Committee on Energy & Utilities.

HB 1632 by Representatives Brough, Monohon, Barrett, Smitherman, Haugen, Struthers, Schoon, Hankins, Silver, Wilson and G. Nelson

AN ACT Relating to the frequency a premises may be used for conducting bingo; and amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020.

Referred to Committee on Commerce & Economic Development.

HB 1633 by Representatives Charnley, McMullen, Jacobsen, Miller, Allen and Brekke

AN ACT Relating to water resources; amending section 2, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.020; amending section 3, chapter 284, Laws of 1969 ex. sess. and RCW 90.22.010; adding a new section to chapter 90.03 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture

HB 1634 by Representatives Bond, Barnes, Nealey, Fuhrman and West

AN ACT Relating to comparable worth for salaries for persons in public employment; amending section 2, chapter 36, Laws of 1969 ex. sess. as last amended by section 1, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.020; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 2, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.100; amending section 1, chapter 12, Laws of 1970 ex. sess. as last amended by section 4, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.020; amending section 4, chapter 53, Laws of 1982 1st ex. sess. as amended by section 5, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.150; repealing section 3, chapter 75, Laws of 1983 1st ex. sess. and RCW 28B.16.116; and repealing section 6, chapter 75, Laws of 1983 1st ex. sess. and RCW 41.06.155.

Referred to Committee on Ways & Means.

HB 1635 by Representatives Kreidler and Lewis (by Department of Social and Health Services request)

AN ACT Relating to methods of determining costs of operating state institutions; amending section 71.02.410, chapter 25, Laws of 1959 as amended by section 1, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.410; amending section 5, chapter 127, Laws of 1967 ex. sess. as amended by section 126, chapter 141, Laws of 1979 and RCW 71.02.412; and amending section 3, chapter 141, Laws of 1967 as amended by section 238, chapter 141, Laws of 1979 and RCW 72.33.660.

Referred to Committee on Social & Health Services.

HB 1636 by Representatives J. King, Ellis, Hine, Halsan, Tanner, B. Williams, Powers and Silver

AN ACT Relating to economic development; adding a new chapter to Title 43 RCW; adding a new section to chapter 41.06 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1637 by Representatives D. Nelson, Sutherland, Locke, Rust and Brekke

AN ACT Relating to the long-term disposal of high-level radioactive waste; amending section 2, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.020; amending section 3, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.030; amending section 4, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.040; amending section 5, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.050; amending section 6, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.060; amending section 7, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.070; amending section 10, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.900; creating a new section; and adding new sections to chapter 43.200 RCW.

Referred to Committee on Energy & Utilities.

HB 1638 by Representatives Belcher, Braddock, Fisher, Scott, Kreidler, Jacobsen, Hankins and Powers

AN ACT Relating to a pilot-scale management assessment and training project; adding new sections to chapter 72.09 RCW; making appropriations; and providing an expiration date.

Referred to Committee on Social & Health Services.

HB 1639 by Representative J. King

AN ACT Relating to restrictions on explosive cargo; and adding a new section to chapter 70.74 RCW.

Referred to Committee on Commerce & Economic Development.

HB 1640 by Representative Schmidt

AN ACT Relating to gambling; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Commerce & Economic Development.

HB 1641 by Representatives Powers, Smitherman, Zellinsky, Locke, McMullen, Fisch, Kreidler, Lux, Wang, Moon, Tanner and Isaacson

AN ACT Relating to financial responsibility of motor vehicle operators and owners; and adding a new section to chapter 46.29 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1642 by Representatives Kreidler, Lewis, McClure, Wang, Niemi, Belcher, J. King, Stratton, Ebersole, West, Braddock, Fisher, Brekke, Locke, Lux, D. Nelson and Dellwo

AN ACT Relating to income assistance; and amending section 57, chapter 76, Laws of 1983 1st. ex. sess. (uncodified).

Referred to Committee on Ways & Means.

HB 1643 by Representatives Dellwo, Struthers, Patrick, Stratton, Sayan and West

AN ACT Relating to unemployment insurance; and amending section 21, chapter 3, Laws of 1971 as last amended by section 17, chapter 292, Laws of 1977 ex. sess. and RCW 50.44.040.

Referred to Committee on Labor.

HB 1644 by Representatives J. King, Ellis, Braddock, Silver and Wang

AN ACT Relating to environmental policy; and adding a new section to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW.

Referred to Committee on Environmental Affairs.

HB 1645 by Representatives Clayton, Egger, C. Smith, Dickie, Lewis, Nealey, Chandler, Wilson, Tilly and Isaacson

AN ACT Relating to warehousing and deposits of agricultural commodities; and amending section 50, chapter 305, Laws of 1983 and RCW 22.09.371.

Referred to Committee on Agriculture.

HB 1646 by Representatives Appelwick, Kreidler, Powers, Stratton and Todd

AN ACT Relating to state government; amending section 5, chapter 59, Laws of 1969 as last amended by section 3, chapter 28, Laws of 1983 1st ex. sess. and RCW 41.04.230; and adding a new chapter to Title 43 RCW.

Referred to Committee on Ways & Means.

HB 1647 by Representatives Stratton and West

AN ACT Relating to dentistry; amending section 1, chapter 130, Laws of 1951 as last amended by section 35, chapter 158, Laws of 1979 and RCW 18.32.030; and adding a new section to chapter 18.32 RCW.

Referred to Committee on Social & Health Services.

HB 1648 by Representatives Stratton and Barrett

AN ACT Relating to dental health benefits; and adding a new chapter to Title 48 RCW.

Referred to Committee on Social & Health Services.

HB 1649 by Representatives J. King, Ellis, Silver and Heck

AN ACT Relating to the appearance of fairness doctrine; and amending section 6, chapter 229, Laws of 1982 and RCW 42.36.060.

Referred to Committee on Constitution, Elections & Ethics.

HB 1650 by Representative O'Brien

AN ACT Relating to judicial review of governmental actions concerning the use of public property; amending section 16, chapter 65, Laws of 1895 and RCW 7.16.160; amending section 19, chapter 65, Laws of 1895 and RCW 7.16.190; adding a new section to chapter 7.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1651 by Representatives Dellwo, Belcher and Fisher

AN ACT Relating to self-insurance; amending section 33, chapter 289, Laws of 1971 ex. sess. as amended by section 1, chapter 21, Laws of 1983 and RCW 51.14.090; amending section 2, chapter 21, Laws of 1983 and RCW 51.14.095; amending section 35, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.110; amending section 46, chapter 289, Laws of 1971 ex. sess. as last amended by section 1, chapter 326, Laws of 1981 and RCW 51.32.055; amending section 66, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.017; amending section 51.48.040, chapter 23, Laws of 1961 and RCW 51.48.040; adding new sections to chapter 51.14 RCW; and creating a new section.

Referred to Committee on Labor.

HB 1652 by Representatives Jacobsen, Locke, Brough, Belcher, Berozoff, Lux, Ballard, D. Nelson, Armstrong, Pruitt, Allen, Fisher, Miller, McClure, Cantu, Rust, Vander Stoep, Sayan, Charnley, Patrick, Niemi, Wang, Kreidler, Hine, Grimm, Broback, Johnson, Crane, Todd, Brekke, Powers, Long and Haugen

AN ACT Relating to fireworks; amending section 1, chapter 230, Laws of 1982 and RCW 70.77.126; amending section 2, chapter 230, Laws of 1982 and RCW 70.77.131; amending section 3, chapter 230, Laws of 1982 and RCW 70.77.136; amending section 5, chapter 230, Laws of 1982 and RCW 70.77.146; amending section 13, chapter 228, Laws of 1961 as amended by section 8, chapter 230, Laws of 1982 and RCW 70.77.180; amending section 27, chapter 228, Laws of 1961 as amended by section 12, chapter 230, Laws of 1982 and RCW 70.77.250; amending section 28, chapter 228, Laws of 1961 as amended by section 14, chapter 230, Laws of 1982 and RCW 70.77.255; amending section 29, chapter 228, Laws of 1961 as amended by section 15, chapter 230, Laws of 1982 and RCW 70.77.260; amending section 30, chapter 228, Laws of 1961 and RCW 70.77.265; amending section 31, chapter 228, Laws of 1961 and RCW 70.77.270; amending section 33, chapter 228, Laws of 1961 and RCW 70.77.280; amending section 34, chapter 228, Laws of 1961 as amended by section 16, chapter 230, Laws of 1982 and RCW 70.77.285; amending section 35, chapter 228, Laws of 1961 and RCW 70.77.290; amending section 36, chapter 228, Laws of 1961 as amended by section 17, chapter 230, Laws of 1982 and RCW 70.77.295; amending section 38, chapter 228, Laws of 1961 as amended by section 18, chapter 230, Laws of 1982 and RCW 70.77.305; amending section 19, chapter 230, Laws of 1982 and RCW 70.77.311; amending section 42, chapter 228, Laws of 1961 as amended by section 21, chapter 230, Laws of 1982 and RCW 70.77.325; amending section 48, chapter 228, Laws of 1961 as amended by section 26, chapter 230, Laws of 1982 and RCW 70.77.355; amending section 49, chapter 228, Laws of 1961 as amended by section 27, chapter 230, Laws of 1982 and RCW 70.77.360; amending section 50, chapter 228, Laws of 1961 as amended by section 28, chapter 230, Laws of 1982 and RCW 70.77.365; amending section 56, chapter 228, Laws of 1961 as amended by section 31, chapter 230, Laws of 1982 and RCW 70.77.395; amending section 60, chapter 228, Laws of 1961 as amended by section 33, chapter 230, Laws of 1982

and RCW 70.77.415; amending section 61, chapter 228, Laws of 1961 as amended by section 34, chapter 230, Laws of 1982 and RCW 70.77.420; amending section 62, chapter 228, Laws of 1961 as amended by section 35, chapter 230, Laws of 1982 and RCW 70.77.425; amending section 63, chapter 228, Laws of 1961 as amended by section 36, chapter 230, Laws of 1982 and RCW 70.77.430; amending section 65, chapter 228, Laws of 1961 and RCW 70.77.440; amending section 74, chapter 228, Laws of 1961 and RCW 70.77.485; amending section 79, chapter 228, Laws of 1961 as amended by section 40, chapter 230, Laws of 1982 and RCW 70.77.510; amending section 80, chapter 228, Laws of 1961 as amended by section 41, chapter 230, Laws of 1982 and RCW 70.77.515; amending section 81, chapter 228, Laws of 1961 and RCW 70.77.520; amending section 84, chapter 228, Laws of 1961 as amended by section 43, chapter 230, Laws of 1982 and RCW 70.77.535; amending section 85, chapter 228, Laws of 1961 and RCW 70.77.540; adding new sections to chapter 70.77 RCW; repealing section 13, chapter 230, Laws of 1982 and RCW 70.77.570; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 1653 by Representatives Smitherman and Grimm

AN ACT Relating to state fiscal matters; amending section 33, chapter 7, Laws of 1983 as amended by section 57, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.32.400; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1654 by Representatives Belcher, Kreidler, Jacobsen and Allen

AN ACT Relating to the prevention of cruelty to animals; adding a new section to chapter 16.52 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

HB 1655 by Representatives Belcher, Kreidler, Lewis, Allen, Miller, Wang, Galloway, Halsan and Jacobsen

AN ACT Relating to child care; adding new sections to chapter 41.04 RCW; creating a new section; and making an appropriation.

Referred to Committee on State Government.

HB 1656 by Representatives Ellis, Struthers, McClure, Tilly, Niemi, Schoon, Bond, Johnson, Miller and Powers

AN ACT Relating to business and occupation tax deductions for artistic or cultural organizations; amending section 6, chapter 140, Laws of 1981 and RCW 82.04.4328; adding a new section to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1657 by Representatives Lewis, Allen, Mitchell and Clayton

AN ACT Relating to driver's licenses; amending section 8, chapter 167, Laws of 1967 as amended by section 42, chapter 292, Laws of 1971 ex. sess. and RCW 46.20.011; amending section 46.20.102, chapter 12, Laws of 1961 as last amended by section 5, chapter 61, Laws of 1979 and RCW 46.20.102; amending section 11, chapter 121, Laws of 1965 ex. sess. as last amended by section 1, chapter 245, Laws of 1981 and RCW 46.20.161; adding new sections to chapter 46.20 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1658 by Representatives Tilly, B. Williams, Silver, Van Dyken, Betrozoff, Dickie, C. Smith, Bond, Hastings, Sanders and Van Luven

AN ACT Relating to state fiscal matters; amending section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020; amending section 2, chapter 280, Laws of 1981 and RCW 43.88.525; amending section 4, chapter 280, Laws of 1981 as amended by section 3, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.535; amending section 33, chapter 7, Laws of 1983 as amended by section 57, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.32.400; adding new sections to chapter 43.88 RCW; repealing section 3, chapter 280, Laws of 1981, section 2, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.530; repealing section 5, chapter 280, Laws of 1981 and RCW 43.88.540; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1659 by Representatives McMullen, Zellinsky, Braddock, Egger and Dellwo

AN ACT Relating to modification of the Washington state accident, medical aid, and reserve funds; amending section 16, chapter 289, Laws of 1971 ex. sess. as last amended

by section 4, chapter 129, Laws of 1980 and RCW 51.16.035; amending section 51.16.050, chapter 23, Laws of 1961 as amended by section 1, chapter 274, Laws of 1971 ex. sess. and RCW 51.16.050; amending section 51.44.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 312, Laws of 1983 and RCW 51.44.070; amending section 51.44.080, chapter 23, Laws of 1961 as last amended by section 29, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.080; and adding a new section to chapter 51.16 RCW.

Referred to Committee on Labor.

HB 1660 by Representatives Grimm, Dickie, Isaacson and Clayton

AN ACT Relating to education; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 173, Laws of 1979 ex. sess. and RCW 28A.04.120; amending section 1, chapter 114, Laws of 1975--76 2nd ex. sess. and RCW 28A.67.072; amending section 9, chapter 114, Laws of 1975--76 2nd ex. sess. and RCW 28A.67.073; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; and repealing section 28A.05.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.05.040.

Referred to Committee on Education.

HB 1661 by Representatives J. King, West, Padden, Stratton, L. Smith, Allen, Barrett, Zellinsky, Isaacson, Miller, Hankins, Kreidler and Ballard

AN ACT Relating to health care service contractors; amending section 1, chapter 168, Laws of 1982 and RCW 48.44.026; adding new sections to chapter 48.44 RCW; and creating a new section.

Referred to Committee on Social & Health Services.

HB 1662 by Representatives G. Nelson, Struthers, Clayton, Wilson, West, Sanders, C. Smith, Silver, Van Luven, Johnson, Lewis, Prince, Mitchell, Chandler, Ballard, Dickie, Hastings, Fuhrman, Schoon, Broback, Bond and Long

AN ACT Relating to industrial insurance; amending section 51.08.180, chapter 23, Laws of 1961 as last amended by section 1, chapter 97, Laws of 1983 and RCW 51.08.180; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 1, chapter 252, Laws of 1983 and RCW 51.12.020; and amending section 51.12.070, chapter 23, Laws of 1961 as last amended by section 4, chapter 128, Laws of 1981 and RCW 51.12.070.

Referred to Committee on Labor.

HB 1663 by Representatives Powers and Fisch

AN ACT Relating to the board of pharmacy; amending section 3, chapter 98, Laws of 1935 as last amended by section 21, chapter 67, Laws of 1981 and RCW 18.64.005; adding new sections to chapter 69.50 RCW; and creating a new section.

Referred to Committee on Social & Health Services.

HB 1664 by Representative R. King

AN ACT Relating to labor contractors; amending section 1, chapter 392, Laws of 1955 and RCW 19.30.010; amending section 2, chapter 392, Laws of 1955 and RCW 19.30.020; amending section 3, chapter 392, Laws of 1955 and RCW 19.30.030; amending section 4, chapter 392, Laws of 1955 and RCW 19.30.040; amending section 5, chapter 392, Laws of 1955 and RCW 19.30.050; amending section 6, chapter 392, Laws of 1955 and RCW 19.30.060; amending section 7, chapter 392, Laws of 1955 and RCW 19.30.070; amending section 9, chapter 392, Laws of 1955 and RCW 19.30.090; amending section 10, chapter 392, Laws of 1955 and RCW 19.30.100; amending section 11, chapter 392, Laws of 1955 and RCW 19.30.110; amending section 12, chapter 392, Laws of 1955 and RCW 19.30.120; amending section 15, chapter 392, Laws of 1955 as amended by section 20, chapter 199, Laws of 1969 ex. sess. and RCW 19.30.140; adding new sections to chapter 19.30 RCW; and prescribing penalties.

Referred to Committee on Labor.

HB 1665 by Representatives Patrick, Holland and J. King

AN ACT Relating to proration of motor vehicle excise tax; and amending section 82.44.060, chapter 15, Laws of 1961 as last amended by section 12, chapter 222, Laws of 1981 and RCW 82.44.060.

Referred to Committee on Transportation.

HB 1666 by Representative Allen

AN ACT Relating to appraisals; amending section 28A.58.045, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 306, Laws of 1981 and RCW 28A.58.045; amending section 2, chapter 51, Laws of 1953 and RCW 56.08.090; and amending section 2, chapter 84, Laws of 1982 and RCW 70.44.300.

Referred to Committee on Local Government.

HB 1667 by Representative McMullen

AN ACT Relating to law enforcement districts; reenacting and amending section 19, chapter 2, Laws of 1983 as amended by section 11, chapter 130, Laws of 1983 and by section 16, chapter 303, Laws of 1983 and by section 10, chapter 315, Laws of 1983 and RCW 84.52.052; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 1668 by Representatives Isaacson, Ellis, Hankins, Walk, Barnes, Clayton, Bond, Egger and Zellinsky

AN ACT Relating to motor vehicle fuel containing alcohol; adding a new section to chapter 9.04 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1669 by Representatives Bond, Patrick, Barnes, West, Fuhrman, Nealey, Silver and Padden

AN ACT Relating to the state hospital commission; amending section 3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020; and amending section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150.

Referred to Committee on Social & Health Services.

HB 1670 by Representatives Addison, Hastings, Sanders, Bond and Johnson

AN ACT Relating to tax and expenditure limitations; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 41, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.08.020; amending section 3, chapter 65, Laws of 1970 ex. sess. as last amended by section 1, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.2901; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 6, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.02.030; amending section 3, chapter 9, Laws of 1983 as amended by section 3, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.2904; adding a new chapter to Title 43 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1671 by Representatives Sutherland, R. King, Niemi, Tanner, Belcher, Lux and Fisch

AN ACT Relating to industrial health and safety; and adding new sections to chapter 49.17 RCW.

Referred to Committee on Labor.

HB 1672 by Representatives Holland, Patrick, Van Luven, Schoon, Fuhrman, Bond, Nealey, G. Nelson, Schmidt, Taylor and Betrozoff

AN ACT Relating to education; amending section 28A.01.020, chapter 223, Laws of 1969 ex. sess. as last amended by section 5, chapter 158, Laws of 1982 and RCW 28A.01.020; amending section 3, chapter 359, Laws of 1977 ex. sess. as last amended by section 1, chapter 158, Laws of 1982 and RCW 28A.58.754; amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and

RCW 41.56.030; and amending section 3, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.020.

Referred to Committee on Education.

HB 1673 by Representatives Sutherland, B. Williams and L. Smith

AN ACT Relating to the business and occupation taxation of sales of motor vehicle fuel and special fuel; and amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.2901.

Referred to Committee on Transportation.

HB 1674 by Representatives Powers, Charnley, Burns, Zellinsky, Appelwick and Smitherman

AN ACT Relating to use of public records; amending section 26, chapter 1, Laws of 1973 as amended by section 14, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.260; adding a new section to chapter 42.17 RCW; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 1675 by Representatives Egger, G. Nelson, Schoon, Struthers, Clayton, Wilson, West, Silver, C. Smith, Van Dyken, Betzoff, J. Williams, Chandler, Dickie, Broback, L. Smith, Prince, Hastings and Long

AN ACT Relating to industrial insurance; and adding a new section to chapter 51.14 RCW.

Referred to Committee on Labor.

HB 1676 by Representative Brekke

AN ACT Relating to triggers for extended unemployment compensation benefits; amending section 2, chapter 1, Laws of 1971 as last amended by section 1, chapter 1, Laws of 1983 and RCW 50.22.010; and declaring an emergency.

Referred to Committee on Labor.

HB 1677 by Representatives Cantu, Struthers, Bond, Schoon, Silver, Barnes, J. Williams, Chandler, Allen, Fuhrman and L. Smith

AN ACT Relating to blood donors; and adding a new section to chapter 70.01 RCW.

Referred to Committee on Social & Health Services.

HB 1678 by Representative Barnes

AN ACT Relating to the reduction in taxes imposed on the sale of electrical energy; and adding a new section to chapter 82.08 RCW.

Referred to Committee on Ways & Means.

HB 1679 by Representatives Brough, Schoon, Charnley, Walk, Miller, Sanders, Jacobsen, Barnes, Lewis, Sommers, Barrett, Isaacson, D. Nelson, Allen, Prince, McMullen, Wang, Crane, Hine, B. Williams, Fiske, Betzoff, Powers, Fisher, Grimm, Cantu, Mitchell, Sayan, Locke, Stratton, Padden and Van Dyken

AN ACT Relating to establishing the West Hylebos Creek conservation area; adding new sections to chapter 43.51 RCW; and creating a new section.

Referred to Committee on Natural Resources.

HB 1680 by Representatives Schoon, Brough, Barnes, Miller and Allen

AN ACT Establishing a school district equalized calculation formula; and reenacting and amending section 4, chapter 325, Laws of 1977 ex. sess. as last amended by section 1, chapter 168, Laws of 1981 and by section 10, chapter 264, Laws of 1981 and RCW 84.52.0531.

Referred to Committee on Education.

HB 1681 by Representatives Schoon, Brough, Barnes and Miller

AN ACT Relating to supplemental school district equalization appropriations; adding a new section to chapter 84.52 RCW; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1682 by Representatives Clayton, Gallagher and Barrett

AN ACT Relating to the residential landlord-tenant act; and amending section 13, chapter 264, Laws of 1983 and RCW 59.18.375.

Referred to Committee on Judiciary.

HB 1683 by Representatives J. Williams, Zellinsky, Bond, Mitchell, Wilson and Miller

AN ACT Relating to watercraft; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 1684 by Representatives Braddock and Sommers

AN ACT Relating to higher education; amending section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 12, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.031; amending section 35, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.041; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.100; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1685 by Representatives Gallagher, J. Williams and Todd

AN ACT Relating to the state building code; amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 8, Laws of 1980 and RCW 19.27.030; and amending section 4, chapter 96, Laws of 1974 ex. sess. as amended by section 12, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.040.

Referred to Committee on State Government.

HB 1686 by Representatives P. King, Fiske and Long

AN ACT Relating to insurance benefits; and reenacting and amending section 20, chapter 266, Laws of 1975 1st ex. sess. as amended by section 24, chapter 106, Laws of 1983 and by section 16, chapter 202, Laws of 1983 and RCW 48.21.200.

Referred to Committee on Financial Institutions & Insurance.

HB 1687 by Representatives Locke, Padden, Belcher and Tanner

AN ACT Relating to custodial interference; amending section 34, chapter 291, Laws of 1977 ex. sess. as last amended by section 1, chapter 246, Laws of 1983 and RCW 13.34.060; adding new sections to chapter 9A.40 RCW; adding a new section to chapter 13.34 RCW; adding a new section to chapter 26.09 RCW; repealing section 9A.40.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.40.050; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1688 by Representatives R. King, Sayan, Lux, Fisher and Scott

AN ACT Relating to hours of labor; and adding a new section to chapter 49.28 RCW.

Referred to Committee on Labor.

HB 1689 by Representatives B. Williams and Miller

AN ACT Relating to school plant facilities; and amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 167, Laws of 1983 and RCW 28A.51.010.

Referred to Committee on Education.

HB 1690 by Representative B. Williams

AN ACT Relating to the superintendent of public instruction monitoring salary increases granted by school districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

HB 1691 by Representatives Ellis, J. King, Silver and Halsan

AN ACT Relating to business development; adding a new chapter to Title 82 RCW; and providing an expiration date.

Referred to Committee on Commerce & Economic Development.

HB 1692 by Representatives Smitherman, Grimm and Monohon

AN ACT Relating to retirement from public service; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030; amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010; amending section 1, chapter 274, Laws of 1947 as last amended by section 1, chapter 69, Laws of 1983 and RCW 41.40.010; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 81, Laws of 1983 and RCW 43.43.120; adding a new section to chapter 2.10 RCW; adding a new section to chapter 2.12 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 43.43 RCW; creating new sections; making an appropriation; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1693 by Representative Schoon

AN ACT Relating to motor vehicle seat belts; adding a new section to chapter 46.37 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1694 by Representatives McMullen, Armstrong, Halsan, Crane and Dellwo

AN ACT Relating to compromises of liens on amounts recovered by injured workers or their beneficiaries; and amending section 4, chapter 85, Laws of 1977 ex. sess. as amended by section 2, chapter 211, Laws of 1983 and RCW 51.24.060.

Referred to Committee on Labor.

HB 1695 by Representatives G. Nelson and Grimm

AN ACT Relating to school closures; and amending section 2, chapter 109, Laws of 1983 and RCW 28A.58.031.

Referred to Committee on Education.

HB 1696 by Representatives Vander Stoep, Wilson, Lewis, Hastings, Isaacson, Clayton and Egger

AN ACT Relating to eliminating the border county tax differential; reenacting section 82.08.020, chapter 15, Laws of 1961 as last amended by section 41, chapter 3, Laws of 1983 2nd ex. sess. and by section 62, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.08.020; reenacting and amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 3, Laws of 1983 2nd ex. sess. and by section 61, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.2901; repealing section 3, chapter 7, Laws of 1983 and RCW 82.04.2902; and repealing section 5, chapter 9, Laws of 1983 and RCW 82.04.2903.

Referred to Committee on Ways & Means.

HB 1697 by Representatives Barnes, Pruitt, Lewis and Long

AN ACT Relating to elections; amending section 29.07.070, chapter 9, Laws of 1965 as last amended by section 3 chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070; and amending section 29.36.010, chapter 9, Laws of 1965 as last amended by section 76, chapter 361, Laws of 1977 ex. sess. and RCW 29.36.010.

Referred to Committee on Constitution, Elections & Ethics.

HB 1698 by Representatives Zellinsky, Walk, J. Williams, Garrett and Egger

AN ACT Relating to vehicle license plates; and amending section 1, chapter 72, Laws of 1983 and RCW 46.16.275.

Referred to Committee on Transportation.

HB 1699 by Representatives Locke, Crane, Halsan, Armstrong, Niemi, Ebersole and McMullen

AN ACT Relating to parentage; amending section 5, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.040; amending section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 6, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.26.090; amending section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.26.100; amending section 12, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.110; amending section 13, chapter 42, Laws

of 1975-'76 2nd ex. sess. and RCW 26.26.120; and amending section 15, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.140.

Referred to Committee on Judiciary.

HB 1700 by Representatives Schmidt, Zellinsky, Hankins and Wilson

AN ACT Relating to emergency medical care and transportation services; and amending section 13, chapter 208, Laws of 1973 1st ex. sess. as last amended by section 13, chapter 261, Laws of 1979 ex. sess. and RCW 18.73.130.

Referred to Committee on Social & Health Services.

HB 1701 by Representatives Holland, Tilly and Isaacson

AN ACT Relating to drunk driving deterrence and victims compensation; 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 10, chapter 3, Laws of 1983 2nd ex. sess. and RCW 66.24-.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 11, chapter 3, Laws of 1983 2nd ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 12, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as last amended by section 4, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.160; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 239, Laws of 1983 and RCW 7.68.020; and adding a new chapter to Title 46 RCW.

Referred to Committee on Judiciary.

HB 1702 by Representatives Appelwick, Jacobsen and Powers

AN ACT Relating to disabled persons; amending section 1, chapter 330, Laws of 1977 ex. sess. as amended by section 1, chapter 131, Laws of 1979 ex. sess. and RCW 43.51.055; and amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 280, Laws of 1983 and RCW 77.32.230.

Referred to Committee on Natural Resources.

HB 1703 by Representatives McMullen and Braddock

AN ACT Relating to railroad rights-of-way; and adding new sections to chapter 64.04 RCW.

Referred to Committee on Energy & Utilities.

HB 1704 by Representatives Sayan and Vekich

AN ACT Relating to the consolidation of the reforestation land tax systems; adding new sections to chapter 84.28 RCW; and creating new sections.

Referred to Committee on Ways & Means.

HB 1705 by Representatives Zellinsky, J. Williams, Crane and Egger (by Secretary of State request)

AN ACT Relating to state flags; amending section 1, chapter 174, Laws of 1923 as last amended by section 2, chapter 65, Laws of 1967 ex. sess. and RCW 1.20.010; adding a new section to chapter 1.20 RCW; and making an appropriation.

Referred to Committee on State Government.

HB 1706 by Representatives Bond, J. Williams, Silver, West, Stratton, Dellwo, Egger, Padden, Garrett, Barrett and Clayton

AN ACT Relating to motor vehicle emission control; and amending section 5, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.050.

Referred to Committee on Environmental Affairs.

HB 1707 by Representative West

AN ACT Relating to ORV use permits; amending section 12, chapter 47, Laws of 1971 ex. sess. as last amended by section 6, chapter 220, Laws of 1977 ex. sess. and RCW 46.09-.070; and amending section 14, chapter 47, Laws of 1971 ex. sess. as last amended by section 8, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.090.

Referred to Committee on Transportation.

HB 1708 by Representative Sayan

AN ACT Relating to state highway construction; and making an appropriation.

Referred to Committee on Transportation.

HB 1709 by Representative Sayan

AN ACT Relating to state highway construction; and making an appropriation.

Referred to Committee on Transportation.

HB 1710 by Representative Armstrong

AN ACT Relating to the office of administrative hearings; and making an appropriation.

Referred to Committee on Ways & Means.

HB 1711 by Representative B. Williams

AN ACT Relating to accounting practices of vocational-technical institutes; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW.

Referred to Committee on Education.

HB 1712 by Representatives J. King, Allen, L. Smith, Stratton, Patrick, Belcher, Zellinsky, Isaacson, Miller, Hankins and Kreidler

AN ACT Relating to hospital privileges; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Social & Health Services.

HB 1713 by Representatives Broback, Hastings, Tanner, Zellinsky, Nealey, Ballard, West and Egger

AN ACT Relating to retail sales taxes; and amending 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.

Referred to Committee on Ways & Means.

HB 1714 by Representative Allen

AN ACT Relating to students of higher education.

Referred to Committee on Rules.

HB 1715 by Representative Burns

AN ACT Relating to higher education.

Referred to Committee on Rules.

HB 1716 by Representative Burns

AN ACT Relating to excellence in higher education.

Referred to Committee on Rules.

HB 1717 by Representative Grimm

AN ACT Relating to fiscal matters.

Referred to Committee on Rules.

HB 1718 by Representative Grimm

AN ACT Relating to fiscal matters.

Referred to Committee on Rules.

HB 1719 by Representative Grimm

AN ACT Relating to state government.

Referred to Committee on Rules.

HB 1720 by Representative Grimm

AN ACT Relating to sundry claims.

Referred to Committee on Rules.

HB 1721 by Representative Grimm

AN ACT Relating to the capital budget.

Referred to Committee on Rules.

HB 1722 by Representative Grimm

AN ACT Relating to the combination of the planning and community affairs agency and the department of commerce and economic development.

Referred to Committee on Rules.

HB 1723 by Representative Grimm

AN ACT Relating to programs administered by the planning and community affairs agency.

Referred to Committee on Rules.

HB 1724 by Representative Grimm

AN ACT Relating to the transfer of programs from the planning and community affairs office to the office of the governor.

Referred to Committee on Rules.

HB 1725 by Representative Kaiser

AN ACT Relating to weed control.

Referred to Committee on Rules.

HB 1726 by Representative Kaiser

AN ACT Relating to agricultural pesticides.

Referred to Committee on Rules.

HB 1727 by Representative P. King

AN ACT Relating to the judiciary.

Referred to Committee on Rules.

HB 1728 by Representative P. King

AN ACT Relating to the judiciary.

Referred to Committee on Rules.

HB 1729 by Representative P. King

AN ACT Relating to education.

Referred to Committee on Rules.

HB 1730 by Representative P. King

AN ACT Relating to education.

Referred to Committee on Rules.

HB 1731 by Representative R. King

AN ACT Relating to public employees collective bargaining.

Referred to Committee on Rules.

HB 1732 by Representative R. King

AN ACT Relating to funding for the automation plan of the employment security department.

Referred to Committee on Rules.

HB 1733 by Representative R. King

AN ACT Relating to dislocated workers.

Referred to Committee on Rules.

HB 1734 by Representative R. King

AN ACT Relating to job search assistance to unemployed workers.

Referred to Committee on Rules.

- HB 1735 by Representative R. King
AN ACT Relating to vocational rehabilitation under the industrial insurance act.
Referred to Committee on Rules.
- HB 1736 by Representative R. King
AN ACT Relating to job training.
Referred to Committee on Rules.
- HB 1737 by Representative R. King
AN ACT Relating to unemployment compensation for victims of crime.
Referred to Committee on Rules.
- HB 1738 by Representatives Kreidler and Lewis
AN ACT Relating to nursing homes.
Referred to Committee on Rules.
- HB 1739 by Representatives Kreidler and Lewis
AN ACT Relating to developmentally disabled facilities.
Referred to Committee on Rules.
- HB 1740 by Representative Kreidler
AN ACT Relating to hospitals.
Referred to Committee on Rules.
- HB 1741 by Representative Kreidler
AN ACT Relating to mental health.
Referred to Committee on Rules.
- HB 1742 by Representative Kreidler
AN ACT Relating to professional licensing.
Referred to Committee on Rules.
- HB 1743 by Representative Kreidler
AN ACT Relating to health care.
Referred to Committee on Rules.
- HB 1744 by Representative Kreidler
AN ACT Relating to sunset.
Referred to Committee on Rules.
- HB 1745 by Representative Kreidler
AN ACT Relating to adult corrections.
Referred to Committee on Rules.
- HB 1746 by Representative Kreidler
AN ACT Relating to juveniles.
Referred to Committee on Rules.
- HB 1747 by Representative Kreidler
AN ACT Relating to juveniles in adult jails.
Referred to Committee on Rules.
- HB 1748 by Representative Kreidler
AN ACT Relating to juvenile detention standards.
Referred to Committee on Rules.
- HB 1749 by Representative Lux

AN ACT Relating to group life.

Referred to Committee on Rules.

HB 1750 by Representative Moon
AN ACT Relating to excise taxes.

Referred to Committee on Rules.

HB 1751 by Representative Moon
AN ACT Relating to property taxes.

Referred to Committee on Rules.

HB 1752 by Representative Moon
AN ACT Relating to special districts.

Referred to Committee on Rules.

HB 1753 by Representative Moon
AN ACT Relating to counties.

Referred to Committee on Rules.

HB 1754 by Representative Moon
AN ACT Relating to cities.

Referred to Committee on Rules.

HB 1755 by Representative Moon
AN ACT Relating to local government.

Referred to Committee on Rules.

HB 1756 by Representative Moon
AN ACT Relating to local government.

Referred to Committee on Rules.

HB 1757 by Representative Moon
AN ACT Relating to local government.

Referred to Committee on Rules.

HB 1758 by Representative D. Nelson
AN ACT Relating to joint development of thermal power facilities.

Referred to Committee on Rules.

HB 1759 by Representative D. Nelson
AN ACT Relating to the nuclear cooperation agreement.

Referred to Committee on Rules.

HB 1760 by Representative Niemi
AN ACT Relating to state employee deferred compensation.

Referred to Committee on Rules.

HB 1761 by Representative Niemi
AN ACT Relating to civil service.

Referred to Committee on Rules.

HB 1762 by Representative Niemi
AN ACT Relating to civil service.

Referred to Committee on Rules.

HB 1763 by Representative Niemi
AN ACT Relating to state government.

Referred to Committee on Rules.

HB 1764 by Representative Niemi

AN ACT Relating to the office of minority and women's business enterprises.

Referred to Committee on Rules.

HB 1765 by Representative Niemi

AN ACT Relating to state government.

Referred to Committee on Rules.

HB 1766 by Representative O'Brien

AN ACT Relating to revenue.

Referred to Committee on Rules.

HB 1767 by Representative Pruitt

AN ACT Relating to minor party conventions.

Referred to Committee on Rules.

HB 1768 by Representative Pruitt

AN ACT Relating to governmental ethics.

Referred to Committee on Rules.

HB 1769 by Representative Sanders

AN ACT Relating to joint operating agencies; adding a new section to chapter 43.52 RCW; and creating a new section.

Referred to Committee on Rules.

HB 1770 by Representative Stratton

AN ACT Relating to game and game fish.

Referred to Committee on Rules.

HB 1771 by Representative Stratton

AN ACT Relating to aquatic lands.

Referred to Committee on Rules.

HB 1772 by Representative Stratton

AN ACT Relating to forests and forest products.

Referred to Committee on Rules.

HB 1773 by Representative Stratton

AN ACT Relating to public lands.

Referred to Committee on Rules.

HB 1774 by Representative Stratton

AN ACT Relating to food fish and shellfish.

Referred to Committee on Rules.

HB 1775 by Representative Vekich

AN ACT Relating to nonpayment of industrial insurance premiums.

Referred to Committee on Rules.

HB 1776 by Representatives Walk and Wilson

AN ACT Relating to abandoned, unauthorized, and disabled vehicles.

Referred to Committee on Rules.

HB 1777 by Representative J. Williams

AN ACT Relating to boating taxation and appropriations.

Referred to Committee on Rules.

HB 1778 by Representative Charnley

AN ACT Relating to carrying out a treaty between the United States of America and Canada; authorizing implementing agreements between Washington municipalities and the Province of British Columbia for enhancing recreational opportunities and protecting environmental resources in the watersheds of rivers that form reservoirs which extend across the international boundary; providing for an endowment fund and an administering commission and for the commission's power and authority; adding new sections to chapter 35.21 RCW; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HJM 41 by Representatives Lux, Locke, Sayan, Zellinsky, Burns, Armstrong, Vekich, Moon and Powers

Petitioning Congress to enact legislation and the Federal Reserve Board and the Comptroller of the Currency to adopt regulations prohibiting financial institutions from imposing charges for cashing state or federal government checks.

Referred to Committee on Financial Institutions & Insurance.

HJM 42 by Representatives R. King and Wang

Requesting the establishment of a National Academy of Peace and Conflict Resolution.

Referred to Committee on Rules.

HJR 53 by Representatives West, Wilson, Bond, C. Smith, Padden, Dickie, Chandler, J. Williams, L. Smith, Isaacson, Fuhrman and Barrett

Returning to biennial 135 day legislative sessions.

Referred to Committee on Constitution, Elections & Ethics.

HJR 54 by Representatives Tilly, Cantu, B. Williams, Sanders, Barnes, Patrick, Schoon, Fuhrman, Nealey, Silver, Broback, Van Dyken, Betrozoff, J. Williams, C. Smith, Dickie, Van Luven, Ballard, Bond, Mitchell, Hastings, Johnson, Clayton and Long

Establishing a constitutional limit on appropriations.

Referred to Committee on Ways & Means.

HJR 55 by Representatives Holland, Brough, Mitchell, Hastings, Sanders, Bond, Johnson, Van Luven, Addison and Long

Requiring a 60% majority vote for tax increases.

Referred to Committee on Ways & Means.

HJR 56 by Representatives Long, G. Nelson, Johnson, Barrett, Padden, Schmidt, Hankins, Struthers, Vander Stoep, Patrick, Schoon, Fuhrman, Bond, Nealey, Silver, Broback, Clayton, Brough, Mitchell, J. Williams, Cantu, Hastings, Miller, Addison, Betrozoff and Egger

Requiring state taxes to be uniform throughout the state.

Referred to Committee on Ways & Means.

HCR 36 by Representatives Ellis, Armstrong, Ebersole, Wang, Hine, Fisher and Todd

Establishing the emergency commission on comprehensive water resource management.

Referred to Committee on Rules.

HCR 37 by Representatives D. Nelson, Isaacson, Rust, Nealey, Locke and Sutherland

Approving nuclear waste disposal agreement.

Referred to Committee on Energy & Utilities.

SSB 3021 by Committee on Commerce & Labor (originally sponsored by Senator McDermott)

Regulating health studies.

Referred to Committee on Local Government.

ESB 3264 by Senators Conner, Guess, Moore, Bauer, Pullen, Bender and McCaslin

Establishing Olympic County subject to voter approval.

Referred to Committee on Constitution, Elections & Ethics.

MOTION

On motion of Mr. Heck, the bills, memorials and resolutions listed on the first reading calendar for today were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 17, 1984

HB 791 Prime Sponsor, Representative Charnley: Modifying provisions concerning county hospitals. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luvan.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1107 Prime Sponsor, Representative Ebersole: Extending the bond allocation formula for the housing finance commission. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1120 Prime Sponsor, Representative Armstrong: Requiring release of juvenile records under certain circumstances. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Crane and Lewis.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1121 Prime Sponsor, Representative Armstrong: Revising penalties for crimes involving explosives. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Crane and Lewis.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1135 Prime Sponsor, Representative Hine: Revising the notice requirements for motor vehicle warranties. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Cantu, Lewis, Locke and Tilly.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1161 Prime Sponsor, Representative Charnley: Requiring notification to state fire marshal of changes in fireworks regulations. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1166 Prime Sponsor, Representative Locke: Authorizing courts to set conditions on probation and specifying length of term. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Crane and Lewis.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1247 Prime Sponsor, Representative Armstrong: Revising criminal sentencing. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE BILL NO. 1459 and HOUSE BILL NO. 1492 were rereferred from Committee on Commerce & Economic Development to Committee on Constitution, Elections & Ethics.

On motion of Mr. Heck, HOUSE BILL NO. 1542 was rereferred from Committee on Judiciary to Committee on Local Government.

On motion of Mr. Heck, HOUSE BILL NO. 1596 was rereferred from Committee on Commerce & Economic Development to Committee on Social & Health Services.

On motion of Mr. Heck, HOUSE BILL NO. 1673 was rereferred from Committee on Transportation to Committee on Ways & Means.

On motion of Mr. Heck, HOUSE JOINT MEMORIAL NO. 37 and HOUSE JOINT MEMORIAL NO. 38 were rereferred from Committee on Constitution, Elections & Ethics to Committee on State Government.

On motion of Mr. Heck, ENGROSSED SENATE BILL NO. 3264 was rereferred from Committee on Constitution, Elections & Ethics to Committee on Local Government.

On motion of Mr. Heck, the House reverted to the seventh order of business.

THIRD READING

HOUSE BILL NO. 880, by Representative Heck

Regulating payment procedures for certain health care providers not participants in a health services contract.

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

Representatives Heck and Fiske spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 880, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 2; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Monohon, Tanner - 2.

House Bill No. 880, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGE FROM THE SENATE

January 17, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3003,

ENGROSSED SENATE BILL NO. 3099,

SUBSTITUTE SENATE BILL NO. 3103,

SENATE BILL NO. 3121,

SUBSTITUTE SENATE BILL NO. 3276,

SECOND REENGROSSED SENATE BILL NO. 3309,

SENATE JOINT MEMORIAL NO. 120,

SENATE CONCURRENT RESOLUTION NO. 129,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

ESSB 3003 by Committee on Commerce & Labor (originally sponsored by Senator Conner)

Regulating amusement rides.

Referred to Committee on Commerce & Economic Development

ESB 3099 by Senators Bauer, Bluechel, Hughes and Zimmerman

Modifying interest rate for back taxes on re-classified open space land.

Referred to Committee on Ways & Means

SSB 3103 by Committee on Local Government (originally sponsored by Senator Sellar)

Providing for surprise audits of county treasuries.

Referred to Committee on Local Government

SB 3121 by Senators Peterson, Hansen and Sellar (by Department of Licensing request)

Permitting certain notices to be sent to drivers by first class mail.

Referred to Committee on Transportation

SSB 3276 by Committee on Local Government (originally sponsored by Senators Fleming, Bauer, McManus, Moore and Conner)

Declaring economic development programs with nonprofit corporations to be a public purpose for cities and counties.

Referred to Committee on Local Government

2ReESB 3309 by Senators McManus, McDermott, Talmadge, Jones and Bottiger

Modifying cigarette taxes.

Referred to Committee Ways & Means

SJM 120 by Senators Owen, Metcalf and Vognild

Requesting Congress to review the Boldt decision.

Referred to Committee on Natural Resources

SCR 129 by Senators McManus, Rinehart and Jones

Establishing a joint legislative committee on the arts.

Referred to Committee on Rules

MOTION

On motion of Mr. Heck, the bills listed on the introduction sheet were considered first reading under the fourth order of business and referred to the committees designated.

SECOND READING

HOUSE BILL NO. 1156, by Representatives Grimm and Cantu (by Governor Spellman request)

Adopting the supplemental budget.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 1156 was substituted for House Bill No. 1156, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1156 was read the second time.

Mr. Tilly moved adoption of the following amendments:

On page 6, following line 43 insert a new subsection as follows:

"(3) The house committee on ways & means shall work jointly with the senate committee on ways & means and in consultation with the office of financial management to study the actual expenditure of state agencies and shall report to the 49th legislature upon its convening, where up to twenty million dollars or more of unnecessary or unauthorized expenditures have occurred."

On page 7, following line 10 insert a new subsection as follows:

"(3) The senate committee on ways & means shall work jointly with the house committee on ways & means and in consultation with the office of financial management to study the actual expenditure of state agencies and shall report to the 49th legislature upon its convening, where up to twenty million dollars or more of unnecessary or unauthorized expenditures have occurred."

On page 15, following line 6 insert a new subsection as follows:

"(6) The office of financial management shall work as a consultant with the house and senate ways & means committees to study the actual expenditure of state agencies and shall report to the 49th legislature upon its convening, where up to twenty million dollars or more of unnecessary or unauthorized expenditures have occurred."

Representatives Tilly and Addison spoke in favor of the amendments, and Mr. Grimm spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 46; nays, 52; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P. Lewis, Long, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Mr. Tilly moved adoption of the following amendments:

On page 6, following line 43 insert a new subsection as follows:

"(3) The house committee on ways & means shall work jointly with the senate committee on ways & means and in consultation with the office of financial management to determine a schedule for the orderly return of Washington state taxes to the uniformly applied level they held in July of 1981. This schedule shall result in reaching the 1981 levels not later than July 1, 1985 and shall be reported to the legislature on January 20, 1985."

On page 7, following line 10 insert a new subsection as follows:

"(3) The senate committee on ways & means shall work jointly with the house committee on ways & means and in consultation with the office of financial management to determine a schedule for the orderly return of Washington state taxes to the uniformly applied level they held in July of 1981. This schedule shall result in reaching the 1981 levels not later than July 1, 1985 and shall be reported to the legislature on January 20, 1985."

On page 15, following line 6 insert a new subsection as follows:

"(6) The office of financial management shall work jointly with the house and senate ways & means committee to determine a schedule for the orderly return of Washington state taxes to the uniformly applied level they held in July of 1981. This schedule shall result in reaching the 1981 levels not later than July 1, 1985 and shall be reported to the legislature on January 20, 1985."

Representatives Tilly and G. Nelson spoke in favor of the amendments, and Mr. Grimm spoke against them.

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, it appears to me this amendment pertains to taxation and revenue matters and what we have before us is a supplemental appropriation bill. This amendment doesn't have anything at all to do with appropriation or budget matters. They are talking about something that is far away from the subject matter."

The Speaker: "You are absolutely right, Representative O'Brien, but Representative Nelson and others have already started the discussion. The Speaker would particularly appreciate it if you would keep your eye on any future problems and be timely."

Mr. G. Nelson continued his remarks in favor of the amendments and Mr. Tilly spoke again in favor of them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 44; nays, 54; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan,

Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Mr. Isaacson moved adoption of the following amendments:

On page 14, line 1 strike "11,665,000" and insert "14,665,000"

On page 14, line 6 strike "13,183,000" and insert "16,183,000"

On page 15, after line 6 insert the following new subsection:

"(6) \$3,000,000 of the General Fund, Appropriations is provided solely for grants to cities and counties for the enhancement of the prosecution and adjudication of serious traffic offenses involving driving or physical control of a motor vehicle while under the influence of intoxicating liquor or drugs.

(a) In approving applications for grants the office of financial management shall give priority to:

(i) Counties in which municipalities have formally or informally withdrawn from the prosecution and adjudication of serious traffic offenses;

(ii) Counties and cities that have increased the commitment of local resources to the prosecution and adjudication of serious traffic offenses in 1983 as compared to 1982;

(iii) Counties and cities that have maintained their commitment of local resources to the prosecution and adjudication of serious traffic offenses in 1983 as compared to 1982.

(b) Counties and cities may submit joint grant applications.

(c) The office of financial management may adopt rules to administer this subsection."

Representatives Isaacson and Taylor spoke in favor of the amendments, and Ms. Hine spoke against them.

POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Hine, I believe the bill we are talking about is House Bill 1582. I would like to clarify the policy on this with respect to cut-off. Would that bill be protected from the cut-off, and would it be kept alive so that it will be dealt with this session?"

Ms. Hine: "Yes, Representative Isaacson, it will have an appropriation and it would be exempt."

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Isaacson to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 46; nays, 52; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

On motion of Ms. Sommers, the following amendment was adopted:

On page 15, line 6 after "legislature," insert "If HB 1363 is enacted with an appropriation, the appropriation in this subsection shall lapse."

Ms. L. Smith moved adoption of the following amendments by Representatives Van Luven, L. Smith, Taylor and Struthers:

On page 22, line 20 strike "7,007,000" and insert "8,207,000"

On page 22, line 24 strike "21,264,000"

On page 22, line 29 strike "1,700,000" and insert "2,900,000"

Representatives L. Smith, Van Luven, Schmidt, Struthers, Van Dyken and C. Smith spoke in favor of the amendments, and Mr. Smitherman spoke against them.

Ms. L. Smith spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Van Luven and others to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 46; nays, 52; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Mr. Struthers moved adoption of the following amendments:

On page 24, line 16 strike "13,578,000" and insert "13,711,000"

On page 24, line 20 strike "14,443,000" and insert "14,576,000"

Representatives Struthers and Patrick spoke in favor of the amendments, and Mr. Grimm spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Struthers to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 45; nays, 53; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Mr. Zellinsky moved adoption of the following amendment by Representatives Zellinsky, Egger, Haugen, Stratton and Schmidt:

On page 26, beginning on line 14 insert a new subsection to read as follows:

"(d) The department shall not give tobacco or tobacco products to any inmate without consideration. Where possible, an inmate shall compensate the department at cost for any such goods received. Where the inmate is indigent, he or she shall be required to perform work in exchange for such products. Such work may include policing institutional grounds and buildings and performing community service work inside the institution for charitable, nonprofit organizations."

Mr. Zellinsky spoke in favor of the amendment, and Mr. Struthers spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Zellinsky and others to Substitute House Bill No. 1156, and the amendment was adopted by the following vote: Yeas, 75; nays, 23; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King P, King R, Lewis, Long, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Powers, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Belcher, Braddock, Brekke, Burns, Charnley, Galloway, Grimm, Jacobsen, King J, Kreidler, Locke, Lux, Monohon, Nelson D, Niemi, O'Brien, Prince, Pruitt, Rust, Sommers, Struthers, Vekich, Walk - 23.

Mr. Fiske moved adoption of the following amendments:

On page 36, line 15 strike "~~371,554,000~~" and insert "361,066,000"

On page 36, line 17 strike "~~326,810,000~~" and insert "316,320,000"

On page 36, line 19 strike "~~698,364,000~~" and insert "677,386,000"

On page 36, line 31 strike "~~((25,536,800)) 48,904,000~~" and insert "25,536,800" and strike "~~((12,768,400)) 24,451,000~~" and insert "12,768,400"

On page 36, line 35 strike "~~((1984)) 1985~~" and insert "1984"

On page 37, after line 4 insert the following new subsection:

"(4) \$9,200,000, of which \$4,600,000 is from the general fund-state appropriation is provided solely for a program of aid to families with dependent children for two-parent families beginning on October 1, 1984, and continuing through March 30, 1985. Additional funds appropriated in this section may be expended for the program during such period. The department shall amend its state plan under Title IV of the federal social security act in order to secure federal matching funds for the program during such period."

Renumber the remaining subsections accordingly.

On page 38, line 16 strike "~~369,055,000~~" and insert "361,754,000"

On page 38, line 18 strike "~~242,138,000~~" and insert "234,830,000"

On page 38, line 20 strike "~~611,193,000~~" and insert "596,584,000"

On page 38, line 23 strike "~~((13,355,800)) 34,697,000~~" and insert "13,355,800" and strike "~~((6,677,900)) 17,345,000~~" and insert "6,677,900"

On page 38, line 28 strike "~~((1984)) 1985~~" and insert "1984"

On page 38 after line 32 insert the following new subsection:

"(2) \$6,732,000, of which \$3,366,000 is from the general fund-state appropriation, is provided solely for medical assistance and limited casualty program coverage for persons in two-parent families who are categorically related to the aid to families with dependent children program, between October 1, 1984, and March 31, 1985. Additional funds appropriated under this sections may be expended for the coverage during such period. The department shall amend its state plan under Title XIX of the federal social security act in order to secure federal matching funds for the coverage during such period."

Renumber the remaining subsections accordingly.

On page 42, line 16 strike "~~136,293,000~~" and insert "134,025,000"

On page 42, line 18 strike "~~144,877,000~~" and insert "143,240,000"

On page 42, line 21 strike "~~281,270,000~~" and insert "277,374,000"

Representatives Fiske, Ballard, Lewis, Dickie, G. Nelson and Hastings spoke in favor of the amendments, and Representatives Brekke, Vekich, Sayan, Heck, McMullen and Pruitt spoke against them.

Mr. Fiske spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Fiske to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 45; nays, 53; excused, 00.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 53.

Mr. Bond moved adoption of the following amendments:

On page 61, line 12 strike "~~11,853,000~~" and insert "12,628,000"

On page 61, line 14 strike "~~13,823,000~~" and insert "14,598,000"

Mr. Bond spoke in favor of the amendments.

POINT OF INQUIRY

Mr. Bond yielded to question by Ms. Niemi.

Ms. Niemi: "Representative Bond, I would like to know what, for \$775,000, is going to be done differently than is being done right now?"

Mr. Bond: "Well, I indicated to some degree what the money is going for, but I do have the detail on it here. It requires some added personnel and that is \$242,000. It includes telephone line charges and forty-one terminals at \$290 apiece

and that's \$157,000. Equipment is included in this as I mentioned--terminals, modems and printers--that's \$143,000 and there are some other small items--data base storage, \$43,000, and so forth. Benefits, of course, are added for the employees; there's another \$43,000. It all adds up to \$775,000."

Ms. Niemi spoke against the amendments, and Representatives Padden and Cantu spoke in favor of them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Bond to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 46; nays, 52; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt, Van Luven, Mitchell, West, Zellinsky and Stratton:

On page 61, line 12 strike "11,853,000" and insert "12,498,000"
 On page 61, line 14 strike "13,823,000" and insert "14,468,000"
 On page 61, line 17 strike "1,400,000" and insert "((1,400,000)) 1,821,000"
 On page 61, line 22 strike "600,000" and insert "((600,000)) 824,000"

Representatives Schmidt, West, Miller, Patrick, Van Luven, Stratton and Silver spoke in favor of the amendments, and Representative Grimm spoke against them.

Ms. Schmidt spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Schmidt and others to Substitute House Bill No. 1156, and the amendments were adopted by the following vote: Yeas, 60; nays, 38; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fisch, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, King P, King R, Lewis, Long, McMullen, Miller, Mitchell, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 60.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, King J, Kreidler, Locke, Lux, McClure, Monohon, Moon, Niemi, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 38.

Representative Fuhrman was excused.

On motion of Mr. Zellinsky, the following amendment by Representatives Zellinsky and Walk was adopted:

On page 63, after line 1 insert:

"(3) If HB 1698 or similar legislation delaying the implementation of chapter 72, Laws of 1983, is enacted prior to July 1, 1984, the motor vehicle fund state appropriation shall be reduced by \$510,000."

On motion of Mr. Braddock, the following amendment by Representatives Braddock, Haugen and Zellinsky was adopted:

On page 63, following line 32 insert the following:

"(1) For purposes of this act and compliance with RCW 28A.58.095, the superintendent of public instruction shall ensure that no school 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."

Renumber the remaining subsections consecutively.

Mr. Vander Stoep moved adoption of the following amendments by Representatives Vander Stoep, Schoon and Betzoff:

On page 68, line 9 strike "77,328,000" and insert "83,756,000"

On page 68, line 26 strike "4,286,000" and insert "10,714,000"

On page 68, line 29 after "rate of" strike "\$8" and insert "\$20"

On page 70, line 33 strike new subsection (d) and renumber the remaining subsection consecutively.

Representatives Vander Stoep, Schoon and Taylor spoke in favor of the amendments, and Ms. Sommers opposed them.

Mr. Vander Stoep spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Vander Stoep and others to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G. Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Bond, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 56.

Excused: Representative Fuhrman - 1.

Mr. Addison moved adoption of the following amendments:

On page 68, line 9 strike "77,328,000" and insert "82,728,000"

On page 68, after line 29 add a new subsection to read as follows:

"(5) A maximum of \$5,400,000 shall be distributed for insurance benefit increases for part-time classified employees to achieve a maximum rate of \$179 per month per .83 full time equivalent classified staff unit."

On page 70, line 36 beginning with "(e)" strike all the material down to and including "legislature" on page 71, line 6.

Representatives Addison, Struthers and Holland spoke in favor of the amendments, and Representatives Grimm and Powers spoke against them.

Mr. Addison spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Addison to Substitute House Bill No. 1156, and the amendments were not adopted by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G. Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Bond, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 56.

Excused: Representative Fuhrman - 1.

On motion of Ms. Sommers, the following amendment by Representatives Sommers, Galloway, Vander Stoep and Betzoff was adopted:

On page 72, after line 14 add a new subsection to read as follows:

"(5) In the 1984-85 fiscal year the superintendent may transfer funds from this section to section 509(3)(a) or (d) to the extent that specific learning disabled category E enrollment is less than 6532 students. Any such transfer shall be at a rate of \$300 per student. This authority is

granted in order to provide maximum flexibility to school districts in reclassifying students currently identified as specific learning disabled and in recognition of the superintendent's testimony that approximately 55% of students so identified will not meet the new proposed eligibility regulations."

Ms. Galloway moved adoption of the following amendment by Representatives Galloway and Sommers:

On page 74, line 29 after "RCW 28A.41.406" insert ": PROVIDED, That if SHB 1449 is enacted, the superintendent may expend a maximum of \$66,500 for a study of the remediation assistance program."

Representatives Galloway and Dickie spoke in favor of the amendment, and it was adopted.

Ms. Stratton moved adoption of the following amendments by Representatives Stratton, Powers, Haugen, Barrett, Silver, Zellinsky, Dellwo and Egger:

On page 74, line 32 insert the following:

"(c) The sum of \$750,000 is provided for teacher training for drug and alcohol abuse education and prevention in grades K through 12."

Reletter the remaining subsections consecutively.

On page 75, line 3 after "(4)" strike "(e)" and insert "(f)"

Representatives Stratton, Mitchell, Powers and Silver spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Stratton and others to Substitute House Bill No. 1156, and the amendments were adopted by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Chandler, Charnley, Clayton, Dellwo, Dickie, Egger, Fisch, Fiske, Gallagher, Galloway, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Lewis, Long, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Powers, Prince, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 60.

Voting nay: Representatives Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Cantu, Crane, Ebersole, Ellis, Fisher, Garrett, Grimm, Heck, Hine, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Pruitt, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 37.

Excused: Representative Fuhrman - 1.

On motion of Ms. Sommers, the following amendment was adopted:

On page 79, line 4 after "enacted." insert "If HB 1197 is enacted with an appropriation, the appropriation in this subsection shall lapse."

On motion of Ms. Monohon, the following amendments were adopted:

On page 91, line 10, before "United" insert "(1)"

On page 91, after line 19, insert the following:

(2) Payment of judgment in State v. Graves, Superior Court for Douglas County, Cause No. 1879, including interest	\$	2,403.22
(3) Payment of judgment in Groves v. State, Superior Court for Snohomish County, Cause No. 81-1-00641-2, including interest	\$	1,983.76
(4) Payment of judgment in State v. Botimer, Superior Court for King County, Cause No. 83-1-01538-0, including interest	\$	30,269.08
(5) Payment of judgment in State v. Freund, Superior Court for Clark County, Cause No. 83-1-00236-2, including interest	\$	8,931.72
(6) Payment of judgment in City of Lynnwood v. Quintero, Municipal Court of Lynnwood, Cause No. LC 9179, including interest	\$	3,845.16
(7) Payment of judgment in State v. Dolan, South District Court for Snohomish County, Cause No. SR 2802, including interest	\$	2,845.86
(8) Payment of judgment in H. H. Robertson Co. v. State, Superior Court for King County, Cause No. 82-2-07131-5, including interest	\$	20,290.04
(9) Payment of judgment in Construction Erectors v. State, Superior Court for Thurston County, Cause No. 81-2-01584-8, including interest	\$	70,406.61
(10) Payment of judgment in State v. Kuster, Superior Court for Spokane County, Cause No. 81-100232-4, including interest	\$	17,988.66

- | | | |
|---|----|------------|
| (11) Payment of judgment in In re the welfare of Engebretson, Superior Court for Kitsap County, Cause No. JC-3303, including interest | \$ | 846.58 |
| (12) Payment of judgment in State v. Beasley, Superior Court for King County, Cause No. 83-1-02895-3, including interest | \$ | 28,967.83* |

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1156 was placed on final passage.

Representatives Grimm and Heck spoke in favor of passage of the bill, and Mr. Cantu spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1156, and the bill passed the House by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representative Fuhrman - 1.

Engrossed Substitute House Bill No. 1156, having received the 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 Mr. Heck, the House was adjourned until 1:30 p.m., Thursday, January 19, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

ELEVENTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, January 19, 1984

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Fuhrman, Lewis, Schoon and Tanner, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Nelson and Kim Hurlow. Prayer was offered by The Reverend Donald Dawson, Minister of the Presbyterian Church of Lacey.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 18, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3083,
ENGROSSED SENATE BILL NO. 3449,
SENATE BILL NO. 4358.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

ESB 3083 by Senators Warnke, Rasmussen and Hayner (by Department of Licensing request)

Modifying certain license fees and procedures.

Referred to Committee on Commerce & Economic Development.

ESB 3449 by Senators Woody, Hayner, Bottiger, Gaspard and Hemstad

Restricting statements in the candidate's pamphlet to those about the candidate.

Referred to Committee on Constitution, Elections & Ethics.

SB 4358 by Senators Warnke, McDermott, Moore, Newhouse, McManus, Deccio and Fuller

Repealing the hotel excise tax for convention and trade facilities.

Referred to Committee on Local Government.

MOTION

On motion of Mr. Heck, the bills listed on today's calendar under the fourth order of business were considered first reading and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

January 18, 1984

HB 1103 Prime Sponsor, Representative Wang: Modifying health insurance coverage for newborn infants. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Sanders, Vekich, Wang and West.

Absent: Representatives Cantu, Hankins, Kreidler and Monohon.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1105 Prime Sponsor, Representative Ebersole: Requiring the reporting of sentinel birth defects and the surveillance of environmental hazards. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Braddock, Broback, J. King, McClure, Niemi, Scott, Stratton, Wang and West.

Voting nay: Representatives Ballard, Mitchell, Padden and B. Williams.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1119 Prime Sponsor, Representative Walk: Clarifying provisions of emergency purchases by state agencies. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Bond, Hankins, Kaiser, R. King, Lux, Nealey, D. Nelson, Silver, and Walk.

Absent: Representatives Belcher, Johnson, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1137 Prime Sponsor, Representative Kreidler: Authorizing demonstration projects on respite care services. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1147 Prime Sponsor, Representative Haugen: Authorizing bed and breakfast facilities to serve beer or wine. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schmidt, Silver, L. Smith, Smitherman, Stratton, Walk, B. Williams and Wilson.

Absent: Representatives Holland, Padden, Schoon, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1149 Prime Sponsor, Representative Monohon: Authorizing certain members of affiliated organizations and their auxiliaries to assist other chapters or units with gambling activities. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schmidt, Silver, Smitherman, Stratton, Walk and Wilson.

Voting nay: Representatives L. Smith and B. Williams.

Absent: Representatives Haugen, Holland, Padden, Schoon, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1294 Prime Sponsor, Representative Vekich: Modifying the state employee incentive pay program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1326 Prime Sponsor, Representative Vekich: Modifying the employee suggestion program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1413 Prime Sponsor, Representative Walk: Revising regulation of railroads. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Betzoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Voting nay: Representatives Barrett, Mitchell and Patrick.

Absent: Representatives Wilson, Vice Chair; McMullen, Sutherland and J. Williams.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1146, by Committee on Transportation (originally sponsored by Representatives Walk, Wilson, Van Luven and Clayton)

Correcting obsolete references to agencies consolidated in the department of transportation.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1146, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Ebersole, Hine, Todd - 3.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

Substitute House Bill No. 1146, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1210, by Committee on Transportation (originally sponsored by Representatives Walk, Schmidt, Sutherland, Betzoff, Mitchell, Wilson, Clayton, Brough and Schoon; by Department of Transportation request)

Adding twelve civil service exempt positions for ferry management.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1210, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Todd - 1.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

Substitute House Bill No. 1210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1248, by Representatives Vekich, Hankins, Niemi and J. Williams

Modifying procedures for discipline of state patrol officers.

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

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1248, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

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.

HOUSE BILL NO. 1159, by Representatives Niemi, Hankins, Sommers, Johnson, Galloway, Sayan, Walk and Miller (by Office of Financial Management request)

Establishing uniform compensation for boards and commissions.

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

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1159, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

House Bill No. 1159, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1129, by Representatives D. Nelson, Niemi, R. King, Hankins, Lux, Isaacson, Rust, Tanner, Haugen, Heck, Belcher, Brough, McMullen, Brække, Burns, Halsan and Powers

Permitting cities and counties to decide not to include nuclear attack evacuation plans in their emergency service plans.

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

Representatives D. Nelson and Isaacson spoke in favor of passage of the bill, and Mr. Bond spoke against it.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Addison.

Mr. Addison: "Representative Nelson, could you tell us what the status of the plans for evacuation and relocation in the event of a nuclear attack is right now?"

Mr. D. Nelson: "The fiscal note that was prepared by the Department of Emergency Services dated January 11, says that in the opinion of the general counsel of SEMA, the federal emergency management agency, dated October 1983, established that preparation for nuclear attack does not require evacuation or relocation plans. The State Department of Emergency Services policy on relocation planning says that no such plan will be continued in this state. SEMA has also indicated that federal funds would not be withheld because of the lack of evacuation plans; therefore, federal funds for state and local comprehensive emergency management programs will not be threatened by House Bill 1129."

Mr. Barnes spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1129, and the bill passed the House by the following vote: Yeas, 66; nays, 27; absent, 1; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Broback, Brough, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Scott, Silver, Smitherman, Sommers, Struthers, Sutherland, Taylor, Tilly, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Cantu, Chandler, Dellwo, Dickie, Egger, Hastings, Miller, Nealey, Nelson G, Padden, Sanders, Smith C, Smith L, Stratton, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 27.

Absent: Representative Clayton - 1.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

House Bill No. 1129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1253, by Representatives Belcher, Allen, Jacobsen, Sayan, Niemi, Sutherland, Galloway, Locke, Heck, Powers, Lux and Ebersole

Creating an employee exchange program.

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

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1253, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

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.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO 84-111, by Representatives Belcher, Kreidler, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, The Washington State Productivity Board was created by the Legislature to improve the efficiency and effectiveness of state government operations through its incentive programs for state employees; and

WHEREAS, The Employee Suggestion Program fulfills this legislative mandate by encouraging voluntary suggestions for improvements from state employees; and

WHEREAS, The following agencies have adopted and implemented creative and innovative productivity measures suggested by the following state employees:

Department of Agriculture	Patric Herrington
Employment Security Department	Erin Chambers
	Claudia Shephard
Department of Licensing	Russ DeMaris
	Elizabeth Kurth
	Howard Klopp
	James O'Malley
	Maria Walker
Liquor Control Board	Harold Julin
Department of Natural Resources	William Bidstrup
	Garry Gideon
	Kathleen Pehl
	Ruth Rabie

Secretary of State	Lisa Schloffman
Dept. of Social and Health Services	Larry Smith
	John McGuire
	Allen Cohn
	Darlene Hawkins
	Margaret Sage
	Robert Withrow
	Teresa Norman
	Carolyn Sowdon
Washington State Patrol	John Kearns
Department of Transportation	Harold Svaren
	Grant Clifton
Utilities and Transportation Commission	Cathy Gallagher
	Roy Murray

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That these agencies and their employees deserve special commendation and that they receive our congratulations for making state government more effective and economical, to the benefit of all Washington State citizens;

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to the Governor, the administrator of the Washington State Employee Suggestion Program, the members of the Productivity Board, the head of each agency of state government, and each individual employee receiving an award.

Ms. Belcher moved adoption of the resolution. Representatives Belcher and Addison spoke in favor of the resolution and it was adopted.

The Speaker assumed the Chair.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1157, by Representatives Grimm, Cantu and Braddock (by Governor Spellman request)

Adopting the supplemental capital budget.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1157 was substituted for House Bill No. 1157, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1157 was read the second time.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher and Vander Stoep:

On page 3, after line 11 insert the following new section:

*NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for necessary roof repairs to the former Thurston County Courthouse Building.

	Reappropriation	Appropriation
GF, State Bldg Const. Acct		300,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		300,000*

Renumber the remaining sections consecutively.

Representatives Belcher, Vander Stoep and Kreidler spoke in favor of the amendment, and Representatives Braddock, Wilson and Isaacson spoke against it.

Mr. Braddock again opposed the amendment, and Ms. Belcher spoke again in favor of it.

The amendment was not adopted.

On motion of Mr. Braddock, the following amendment was adopted:
On page 4, line 35 after "renovation" insert "and correct security safety hazards"

Mr. Todd moved adoption of the following amendment by Representatives Todd and Crane:

On page 5, after line 12 insert the following new section:

***NEW SECTION, Sec. 12. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--FOR DEVELOPMENTAL DISABILITIES**

		Reappropriation	Appropriation
GF, DSHS Const. Acct			7,808,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	32,131,000		39,939,000*

Renumber the remaining sections consecutively.

Representatives Todd and Crane spoke in favor of the amendment, and Mr. Braddock spoke against it.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Todd.

Mr. Todd: "Representative Braddock, I appreciate the remarks that you have made here, and I would certainly concur if it is your intent to have a subcommittee look at the entire Rainier School during the interim. If that is your intent then I would withdraw the amendment."

Mr. Braddock: "Yes, Representative Todd, it is our intention to look at this and some other areas where we have to defer expenditures where they do have need, but we want to reexamine the priorities."

With the consent of the House, Mr. Todd withdrew the amendment.

Mr. Struthers moved adoption of the following amendment by Representatives Struthers and Taylor:

On page 7, after line 24 insert the following section:

***NEW SECTION, Sec. 20. FOR THE DEPARTMENT OF VETERANS' AFFAIRS**

Design funds for a one hundred bed skilled nursing facility in Walla Walla.

		Reappropriation	Appropriation
GF, CEP & RI Acct.			203,500
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		3,125,000	3,328,500*

Renumber the remaining sections consecutively.

Representatives Struthers, Taylor, Powers and G. Nelson spoke in favor of the amendment, and Representatives Braddock and Kreidler spoke against it.

Mr. Kreidler again opposed the amendment, and Mr. Struthers spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Struthers and Taylor to Substitute House Bill No. 1157, and the amendment was not adopted by the following vote: Yeas, 40; nays, 54; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Gallagher, Hankins, Hastings, Holland, Isaacson, Johnson, Long, Miller, Mitchell, Moon, Nealey, Nelson G, Powers, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Struthers, Taylor, Van Dyken, Van Luven, Vander Stoep, Williams B, Williams J - 40.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Bond, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Patrick, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tilly, Todd, Vekich, Walk, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley, Rust, McClure and Allen:

On page 8, after line 12 insert the following:

"NEW SECTION. Sec. 23. FOR THE DEPARTMENT OF NATURAL RESOURCES

To acquire natural areas to be added to the system of natural area preserves.

GF. ORA -- State	Project Costs Through 6/30/83	Reappropriation	Appropriation
		Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 2,000,000*

Renumber the remaining sections consecutively and correct internal references.

Mr. Charnley spoke in favor of the amendment, and Mr. Braddock spoke against it.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Charnley, two million dollars is a lot of money, and in your remarks I didn't hear you specifically say where some of these areas were going to be acquired. Do you have a list you could tell us about?"

Mr. Charnley: "Yes, Representative Hastings, I do. These were the ones that were listed as the highest priorities, (and the previous speaker said this was not considered by DNR and that's wrong; it has been and these are the highest ones): 288 acres in Douglas County known as the Highlands Shrub Steppes; 300 acres in Stevens county along the Little Pend Oreille River; 150 acres in Thurston County called Bald Hills Lake; 90 acres in Spokane County, Michlin Hills Pond; 46 acres in Pacific County, Oceanside View, the last remaining area of dunes that still have vegetation on them; 30 acres in Chelan County, Fish Lake Bog; 300 acres in Adams County, Marcellus Shrub Steppes; and 90 to 200 acres in Pierce, Island and Skamania Counties--the reason that it's 90 to 200 acres is that it depends on if the tide is in or out--this is to preserve that island which is already a habitat for an endangered species of deer in that area. I appreciate the question because, as you can see, this covers many areas around the state, not any one single area."

Ms. Rust spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charnley and others to Substitute House Bill No. 1157, and the amendment was not adopted by the following vote: Yeas, 36; nays, 53; absent, 5; excused, 4.

Voting yea: Representatives Addison, Allen, Barrett, Betrozoff, Brekke, Brough, Burns, Charnley, Fisher, Hankins, Hastings, Haugen, Hine, Isaacson, Jacobsen, King P, King R, Kreidler, Long, McClure, McMullen, Miller, Moon, Nelson D, Nelson G, Powers, Prince, Pruitt, Rust, Sanders, Scott, Struthers, Taylor, Vekich, Wang, Williams B - 36.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Barnes, Belcher, Bond, Braddock, Broback, Cantu, Chandler, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Holland, Johnson, Kaiser, King J, Locke, Lux, Mitchell, Monohon, Nealey, Niemi, O'Brien, Padden, Patrick, Sayan, Schmidt, Silver, Smith C, Smitherman, Sommers, Stratton, Sutherland, Todd, Van Luven, Vander Stoep, Walk, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 53.

Absent: Representatives Clayton, Fisch, Smith L, Tilly, Van Dyken - 5.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

On motion of Mr. Braddock, the following amendment was adopted:

On page 8, after line 45 insert the following new section:

"Sec. 25. Section 833, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY HANDICAP ACCESS.

GF. EWU Cap Proj Acct	Project Costs Through 6/30/83	Reappropriation	Appropriation
		Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 50,000

50,000*

Renumber the remaining sections consecutively.

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson, Allen, Long and P. King:

On page 10, after line 19 insert:

*NEW SECTION. Sec. 30. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
To purchase 3 locatables at Edmonds Community College

GF, St H Ed Constr Acct	Reappropriation		Appropriation
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			162,350*

Renumber the remaining sections and correct internal references accordingly.

Representatives G. Nelson and Long spoke in favor of the amendment, and Mr. Braddock spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson and others to Substitute House Bill No. 1157, and the amendment was not adopted by the following vote: Yeas, 22; nays, 69; absent, 3; excused, 4.

Voting yea: Representatives Allen, Barnes, Barrett, Betzoff, Brough, Cantu, King P, King R, Long, Miller, Mitchell, Moon, Nelson D, Nelson G, Prince, Sanders, Scott, Van Dyken, Van Luven, Vander Stoep, Williams J, Zellinsky - 22.

Voting nay: Representatives Addison, Appelwick, Armstrong, Ballard, Belcher, Bond, Braddock, Brekke, Broback, Burns, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nealey, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Vekich, Walk, Wang, West, Williams B, Wilson, and Mr. Speaker - 69.

Absent: Representatives Clayton, Johnson, Silver - 3.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

Mr. West moved adoption of the following amendment:

On page 5, following line 10 insert:

*NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES - FOR DEVELOPMENT DISABILITIES

Therapy pool -- Interlake School

GF, DSHS Const. Acct	Reappropriation		Appropriation
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			1,200,000*

Renumber the remaining sections consecutively.

Representatives West, Barrett, Taylor, Dellwo and Wilson spoke in favor of the amendment, and Mr. Braddock spoke against it.

Mr. Taylor spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative West to Substitute House Bill No. 1157, and the amendment was not adopted by the following vote: Yeas, 39; nays, 55; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Betzoff, Bond, Broback, Brough, Chandler, Clayton, Dellwo, Egger, Fiske, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Prince, Sanders, Schmidt, Silver, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Wilson - 39.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Cantu, Charnley, Crane, Dickie, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust,

Sayan, Scott, Smith C, Smith L, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1157 was placed on final passage.

Representatives Braddock and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1157, and the bill passed the House by the following vote: Yeas, 80; nays, 14; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsam, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Ballard, Bond, Clayton, Dickie, Nelson G, Padden, Patrick, Schmidt, Taylor, Vander Stoep, West, Williams B, Williams J, Wilson - 14.

Excused: Representatives Fuhrman, Lewis, Schoon, Tanner - 4.

Engrossed Substitute House Bill No. 1157, having received the 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 Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE BILL NO. 1262 was rereferred from Committee on State Government to Committee on Commerce & Economic Development.

On motion of Mr. Heck, HOUSE BILL NO. 1292 was rereferred from Committee on Judiciary to Committee on Higher Education.

On motion of Mr. Heck, HOUSE BILL NO. 1502 was rereferred from Committee on Local Government to Committee on Agriculture.

On motion of Mr. Heck, HOUSE BILL NO. 1618 was rereferred from Committee on Environmental Affairs to Committee on Energy and Utilities.

On motion of Mr. Heck, HOUSE BILL NO. 1644 was rereferred from Committee on Environmental Affairs to Committee on Local Government.

On motion of Mr. Heck, HOUSE BILL NO. 1649 was rereferred from Committee on Constitution, Elections & Ethics to Committee on State Government.

MOTION

On motion of Mr. Heck, the House adjourned until 1:30 p.m., Friday, January 20, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWELFTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, January 20, 1984

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fuhrman and Lewis, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jennifer and Michelle Peyton. Prayer was offered by The Reverend Sherman Snow, Minister of the United Methodist Church of Stanwood.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 20, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4309,

and the same is herewith transmitted.

William M. Gleason, Assistant Secretary.

VISITING DIGNITARY

The Speaker recognized, within the House Chamber, Speaker of the Oregon House of Representatives, Grattan Kerans, and appointed Representatives Galloway, Sutherland and Struthers to escort him to the rostrum.

Speaker Kerans briefly addressed the House and the Speaker instructed the escort committee to escort him from the House Chamber.

INTRODUCTIONS AND FIRST READING

ESB 4309 by Senators Talmadge, Vognild, Hughes, Hemstad, Moore, Hayner, Granlund, Woody and Peterson

Prohibiting the sexual exploitation of children.

Referred to Committee on Judiciary.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-113, by Representative Monohon,

WHEREAS, Chess, a game that has challenged human minds since the sixth century, has become a remarkably unique blend of game, sport, art, science, and culture; and

WHEREAS, The people of the State of Washington are proud of a citizen of this state and nation, Yasser Seirawan, the twenty-three year old who was the United States chess co-champion from 1981 through 1983, and his continuing brilliant achievements as a chess player; and

WHEREAS, Yasser Seirawan, who learned to play chess in Seattle frequenting the Last Exit in the University District, continues to spend his time in Seattle, when he is not traveling to places like Europe and South America, sharpening his chess skills through disciplined training to prepare for interzonal tournaments and, ultimately, the world championship; and

WHEREAS, Yasser attended Garfield High School in Seattle and helped the Garfield chess team achieve two consecutive state championships; and

WHEREAS, Yasser Seirawan has made enormous contributions to the growing interest in the enriching and challenging game of chess in this state; and

WHEREAS, Observers predict that Yasser Seirawan, who has previously defeated world chess champion Anatoly Karpov and has a lifetime 'plus' score against the champion, will eventually become world champion;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Yasser Seirawan be honored for his notable accomplishments as a chess player and be encouraged in the achievement of his goals; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Yasser Seirawan, the Washington Chess Federation, and the United States Chess Federation.

On motion of Ms. Monohon, the resolution was adopted.

The Speaker appointed Representatives Monohon and Holland to escort Mr. Yasser Seirawan to the rostrum.

Mr. Seirawan briefly addressed the House and the committee escorted him from the House Chamber.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 18, 1984

HB 857 Prime Sponsor, Representative D. Nelson: Seeking to prevent damage to underground utilities caused by construction. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Jacobsen, Locke, Moon, Pruitt, Scott, Sutherland and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Fuhrman, Hastings, Isaacson, Long and Nealey.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

January 18, 1984

ESHB 863 Prime Sponsor, Committee on Environmental Affairs: Requiring employers to warn employees working with hazardous substances. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lux, Pruitt and Van Dyken.

Voting nay: Representatives Allen, Clayton, Hankins, Lewis, Patrick and J. Williams.

Passed to Committee on Rules for second reading.

January 17, 1984

HB 1106 Prime Sponsor, Representative Halsan: Creating the crime of computer trespass. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Lewis and Locke.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1108 Prime Sponsor, Representative Heck: Repealing the veterans' loan insurance program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representatives Bond, Kaiser, R. King, Lux and O'Brien.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1110 Prime Sponsor, Representative Heck: Abolishing the governor's council on criminal justice. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representatives Bond, Kaiser, R. King, Lux and O'Brien.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1128 Prime Sponsor, Representative Charnley: Filling vacancies of special purpose district representatives. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Broback, Ebersole, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

January 18, 1984

HB 1136 Prime Sponsor, Representative Halsan: Allowing an abandoned junk motor vehicle to remain at the site for the required notification period. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Barrett, Mitchell, Vekich and J. Williams.

Passed to Committee on Rules for second reading.

January 18, 1984

HB 1142 Prime Sponsor, Representative Dellwo: Modifying procedures for filing claims for occupational disease. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 9 strike all of section 1 and insert:

"Sec. 1. Section 51.28.055, chapter 23, Laws of 1961 as amended by section 34, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.055 are each amended to read as follows:

Claims for occupational disease or infection to be valid and compensable must be filed within ((one year following the date the worker had notice from a physician of the existence of his or her occupational disease, without reference to its date of origin)) two years following the date the worker received notice from a physician that the disease is occupational in its nature and causation and the worker has suffered disability from the disease. If a compensable death occurs, a claim may be filed within two years from the date of death. The notice required by this section must be written notice, signed both by the physician and the worker. The director may waive the time limit for filing of an occupational disease claim for good cause shown."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Betzoff, Chandler, Clayton, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

January 18, 1984

HB 1188 Prime Sponsor, Representative Lux: Revising the credit union laws. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Sanders, Vekich, Wang and West.

Absent: Representatives Cantu, Hankins and Monohon.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1193 Prime Sponsor, Representative Haugen: Creating the state advisory council on international trade development. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Commerce & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers and Tilly.

Voting nay: Representative Vander Stoep.

Absent: Representatives Addison, Bond, Fiske, J. King, Kreidler, McClure, G. Nelson, Sanders and Taylor.

Passed to Committee on Rules for second reading.

January 18, 1984

HB 1200 Prime Sponsor, Representative Walk: Adopting the supplemental transportation budget. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Barrett and J. Williams.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1205 Prime Sponsor, Representative Appelwick: Establishing a provisional center for international trade in forest products. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Commerce & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Addison, Bond, Fiske, J. King, Kreidler, McClure, G. Nelson, Sanders and Taylor.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1207 Prime Sponsor, Representative Ellis: Establishing a provisional international marketing program for agricultural commodities and trade. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Commerce & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison,

Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, McClure, Monohon, G. Nelson, Rust, Sanders, Smitherman, Struthers and Tilly.

Voting nay: Representative Vander Stoep.

Absent: Representatives Addison, Fiske, Kreidler, McClure, G. Nelson and Taylor.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1287 Prime Sponsor, Representative Brekke: Modifying the operation of and extending the Washington council for the prevention of child abuse and neglect. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representatives J. King, Lewis and Niemi.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1449 Prime Sponsor, Representative Galloway: Revising the remediation assistance program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Dickie, Ebersole, Egger, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon, Taylor and Todd.

Absent: Representatives Chandler and Fuhrman.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1456 Prime Sponsor, Representative Galloway: Revising requirements for transitional bilingual education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Dickie, Ebersole, Egger, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon, Taylor and Todd.

Absent: Representatives Chandler and Fuhrman.

Passed to Committee on Rules for second reading.

January 18, 1984

HB 1778 Prime Sponsor, Representative Charnley: Authorizing an act to carry out a treaty between the United States and Canada to permit certain public utility districts and cities to enter into agreements with British Columbia regarding recreational opportunities and environmental protection. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Locke, Long, Miller, Nealey, Pruitt, Scott and Van Luvan.

Voting nay: Representative Moon.

Absent: Representatives Bond, Fuhrman, Hastings, Sutherland and Todd.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 669, by Committee on Environmental Affairs (originally sponsored by Representatives Lux, Rust, Charnley, Gallagher and R. King)

Requiring public disclosure for records of handlers of hazardous wastes.

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

Representatives Lux and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 669, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fuhrman, Lewis - 2.

Engrossed Substitute House Bill No. 669, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 596, by Representatives Todd, Isaacson, D. Nelson, Long, Gallagher and Miller

Modifying provisions on the state building code.

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

Mr. Todd spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 596, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Moon - 1.

Excused: Representatives Fuhrman, Lewis - 2.

Substitute House Bill No. 596, having received the 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

Mr. Barrett moved that the Committee on Labor be relieved of HOUSE BILL NO. 1333, and the bill be placed on the calendar for immediate consideration.

Representatives Barrett and Ballard spoke in favor of the motion.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

Representatives R. King and Heck spoke against the motion, and Mr. G. Nelson spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to relieve the Labor Committee of House Bill No. 1333, and place it on the second reading calendar, and the motion was lost by the following vote: Yeas, 43; nays, 52; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Egger - 1.

Excused: Representatives Fuhrman, Lewis - 2.

The Speaker called on Mr. O'Brien to preside.

HOUSE CONCURRENT RESOLUTION NO. 35, by Representatives McMullen, Fisch, R. King, Heck, Egger, Barrett, Ballard, Clayton, Patrick, Kaiser, Van Dyken, Belcher, Hine, J. King, Dellwo, Tanner, Niemi, Haugen, Ebersole, Zellinsky, Barnes, Schoon, Wang, Struthers, Holland, Betrozoff, Fuhrman, Long, Silver, Scott, Hastings, Brough, Lux, Brekke, Powers and Todd

Establishing a joint select committee on workers' compensation to review the industrial insurance system.

The resolution was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. McMullen spoke in favor of passage of the resolution.

POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Taylor.

Mr. Taylor: "The voluminous testimony, literally thousands and thousands of pages, was on this issue which we are now going to study. That testimony was given in 1981, and I would feel that it would cut the committee's study time a lot if we don't try to reinvent the wheel. Will you be taking notes and observing the testimony that has already been given in order to save the committee a great amount of time?"

Mr. McMullen: "Representative Taylor, if I'm important enough to be on that committee, it would be my goal to make sure that all possible resources of information will be brought to the committee, a full and fair hearing on all aspects of the whole industrial insurance act. Our purpose here is to bring this out of the realm of partisan politics which sometimes results when we argue about one issue or the other, and to have a full and complete investigation of the entire system from top to bottom with appropriate suggestions. We will make that investigation."

Representatives Taylor, Hastings, Hine, R. King, Bond and Fisch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 35, and the resolution was adopted by the following vote: Yeas, 90; nays, 6; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane,

Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Bond, Chandler, Clayton, Dickie, Nealey, Smith C - 6.

Excused: Representatives Fuhrman, Lewis - 2.

House Concurrent Resolution No. 35, having received the constitutional majority, was declared adopted.

Representatives Allen and Miller were excused.

HOUSE BILL NO. 1213, by Representatives Armstrong, Padden, McMullen, Schmidt and Dellwo

Reorganizing and revising Washington trust law.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1213 was substituted for House Bill No. 1213, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1213 was read the second time.

Mr. Appelwick moved adoption of the following amendments:

On page 37, line 4 strike "Even" and insert "(1) Except as provided in subsection (2) of this section, even"

On page 37, after line 17 insert:

"(2) Nothing in subsection (1) of this section prohibits a spouse of a principal from acting as an attorney in fact or as an agent to make any transfer of resources not prohibited under RCW 74.09.532 when the transfer is for the purpose of qualifying the principal for medical assistance or the limited casualty program for the medically needy."

Representatives Appelwick and Padden spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1162, by Representatives Stratton, Mitchell, Halsan and Van Dyken

Correcting double amendments and making other technical corrections in the fisheries code.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 342, by Representatives Kreidler, Lewis, Dellwo and Brække (by Department of Social and Health Services request)

Authorizing limited access to state records for research purposes.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 342 was substituted for House Bill No. 342, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 342 was read the second time.

On motion of Mr. Kreidler, the following amendments were adopted:

On page 1, line 15, after "agency" insert "adopts research review and approval rules including, but not limited to, requiring the establishment of a review body competent to review research proposals as to ethical and scientific soundness; and the review body"

On page 3, after line 16, insert:

"(5) Unauthorized disclosure, whether wilful or negligent, by a research professional who has obtained an individually identifiable personal record or record information from a state agency pursuant to subsection (2) of this section is a gross misdemeanor and is punishable by a fine not exceeding five thousand dollars, or by confinement in the county jail for not exceeding one year, or both. In addition, the recipient of the record or record information is subject to civil liability under the provisions of chapter 42.17 RCW."

Remember the remaining subsections consecutively.

On page 3, line 32, after "planned" strike all material down to and including "results," on page 4, line 1 and insert "and systematic sociological, psychological, epidemiological, bio-medical, or other scientific investigation carried out by a state agency or by a scientific research professional associated with a bona fide scientific research organization, with an objective to contribute to scientific knowledge, the solution of social and health problems, or the evaluation of public benefit and service programs. This definition excludes methods of record analysis and data collection that are subjective, do not permit replication, and are not designed to yield reliable and valid results."

On page 1, line 1 of the title, after "records;" strike "and"

On page 1, line 2 of the title, after "RCW" insert "; and prescribing penalties"

Substitute House Bill No. 342 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 710, by Representatives D. Nelson, Miller, Braddock and Todd
Authorizing municipal corporations to develop electrical generation facilities.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 710 was substituted for House Bill No. 710, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 710 was read the second time.

Mr. G. Nelson moved adoption of the following amendment:

On page 2, line 31 strike "or outside"

Representatives G. Nelson, Isaacson and Padden spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

Mr. Sanders spoke against the amendment.

Mr. D. Nelson again opposed the amendment, and Mr. G. Nelson spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Substitute House Bill No. 710, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; absent, 1; excused, 4.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Grimm, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Todd, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Van Dyken, Van Luven, Vekich, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representative Dellwo - 1.

Excused: Representatives Allen, Fuhrman, Lewis, Miller - 4.

Substitute House Bill No. 710 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-112, by Representatives Allen, Miller, Powers, Jacobsen, Fiske, Barnes, Brough, Silver, Struthers, Prince, McMullen, Sutherland, D. Nelson, Crane, Addison, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, Mitchell, Monohon, Moon, Nealey, G. Nelson, Niemi, O'Brien, Padden, Patrick, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, The Governor and the Legislature have placed a high priority on education as a means to our state's economic recovery and stability; and

WHEREAS, The state's twenty-seven community colleges play an important role in this economic recovery through their vocational and academic programs; and

WHEREAS, The students have committed themselves to working with the Legislature through their student lobbying group, the Washington Association of Community College Students, to provide accessible, affordable, and quality education to all residents of our state without regard to race, age, sex, or socio-economic status; and

WHEREAS, Through these programs residents of our state can enhance their job opportunities and become greater assets to our state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the one hundred fifty-six thousand community college students of our state be commended for their efforts and that other residents of our state be encouraged to participate in our educational programs; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this resolution to the State Board for Community College Education to be distributed to the community colleges throughout the state.

Mr. Wang moved adoption of the resolution. Representatives Wang and Powers spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Monday, January 23, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTEENTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, January 23, 1984

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Broback, Niemi, Schmidt and Struthers. Representatives Niemi, Schmidt and Struthers were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Melissa Hudson and Albert Schroeder. Prayer was offered by The Reverend Kenneth Lawrence, Minister of the Tumwater Evangelical Free Church.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

REPORTS OF STANDING COMMITTEES

January 19, 1984

HB 1127 Prime Sponsor, Representative Hine: Providing a means to transfer sewer or water system operations from a county to a sewer or water district. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Allen, Chandler, Grimm, Isaacson and Todd.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1170 Prime Sponsor, Representative Sayan: Establishing a career executive program for higher education personnel. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, Crane, Fiske, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Struthers, Sutherland and Vander Stoep.

Absent: Representatives R. King, Silver and Tanner.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1181 Prime Sponsor, Representative Tanner: Authorizing the selection of ten students to attend a compact-authorized program in osteopathic medicine. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Allen, Crane, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Struthers, Sutherland and Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representatives Jacobsen, Vice Chair; Barnes, Brough, Fiske and Locke.

Absent: Representatives R. King and Tanner.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1218 Prime Sponsor, Representative Todd: Altering the regulation of auctioneers. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 20 insert the following:

*Sec. 3. Section 10, chapter 205, Laws of 1982 and RCW 18.11.120 are each amended to read as follows:

(1) An auctioneer's license shall not be issued to any person, partnership, association, or corporation until the applicant has filed with the department an approved bond or has established a trust account in lieu of the bond, as required under this section.

(2) Each applicant for an auctioneer's license shall obtain a surety bond issued by a surety company authorized to do business in Washington or establish and maintain a trust account with a qualified public depository located in the state of Washington. Each trust account shall be managed by a trustee approved by the director. The bond or the trust account shall be ((at least)) in an amount not less than five thousand dollars and not more than twenty-five thousand dollars. The amount of the bond or trust account required shall be based upon the value of the goods and real estate sold at auctions conducted by the auctioneer in the previous calendar year or, for a new auctioneer, the estimated value of the goods and real estate to be sold at auctions conducted by the auctioneer during the next calendar year. The director shall establish by rule the procedures to be used in determining the amount of the bond or trust account required for licensure or license renewal. Each such amount shall be expressed as a whole number multiple of one thousand dollars. The director may, by rule or order, establish procedures for the initiation, operation, forfeiture, or termination of any bond or trust account required under this section, including rules to ensure that the bond or trust account remains in effect for one year after expiration, revocation, or suspension of the auctioneer's license.

All bonds shall be subject to the condition that the licensee comply with this chapter and the law of the state. Each bond, or proof of the establishment of the required trust account, shall be filed with and retained by the department.

(3) The bond or trust account shall be in the name of the state of Washington. It shall be for the benefit of the state and any person injured by the auctioneer's violation of this chapter or by the auctioneer's breach of any obligation arising from auction business in this state. The state may bring an action against the bond or trust account to recover penalties. The state or an injured person may bring an action against the bond or trust account for damages to the injured person. The liability of the surety or trustee shall be only for actual damages and shall not exceed the amount of the bond or trust account.

Sec. 4. Section 1, chapter 165, Laws of 1953 as last amended by section 4, chapter 243, Laws of 1969 ex. sess. and RCW 45.12.100 are each amended to read as follows:

The electors of each town shall have power, at their annual town meeting:

- (1) To determine the number of poundmasters, and location of pounds.
- (2) To select such town officers as are required to be chosen.
- (3) To direct the institution or defense of actions in all controversies where the town is interested.
- (4) To direct such sums to be raised in the town for prosecuting or defending such actions as they may deem necessary.
- (5) To make all rules and regulations for ascertaining the sufficiency of fences in the town and for impounding animals.
- (6) To determine the time and manner in which certain domestic animals, including dogs, may be permitted to go at large.
- (7) To impose such penalties on persons offending against any rules and regulations established by the town, except such as relate to the keeping and maintaining of fences, as they think proper not exceeding ten dollars for each offense, unless herein otherwise provided.
- (8) To apply such penalties, when collected, in such manner as they may deem conducive to the interests of the town.
- (9) To vote to raise such sums of money as they deem necessary for the purchase, repair, maintenance, and operation of snow plows or snow removing equipment, appliances for the prevention of highway dust or debris, and highway lighting, all in cooperation with the state and county authorities: PROVIDED, The board of county commissioners of any county wherein township taxing power is abolished under the provisions of this chapter shall annually budget and levy under chapter 36.82 RCW such additional amounts as necessary to maintain street lighting facilities now provided by townships if no other sufficient financial provision has been made for that purpose at the conclusion of the final hearing on the county's annual road fund budget. Such amount shall be limited to the dollar amount budgeted by the townships in the year 1967 for such street lighting and shall be subject to the same limitations applicable to township levies prior to August 11, 1969. The county shall thereafter maintain such street lighting facilities either as a part of its road fund program or by contract, during the next ensuing year.
- (10) To instruct by vote the board to purchase grounds for a town cemetery; to limit the price to be paid therefor, to raise a special assessment for payment thereon and to establish rules for the care and management thereof.

(11) To make such bylaws and regulations as may be deemed conducive to the peace, good order and welfare of the town; to license, tax, regulate and control dogs, hawkers, peddlers, ((auctioneers;)) shows, theatricals, circuses, lawful games, merry-go-rounds, ferris wheels, or other amusement devices or places of amusement.

(12) To create a river improvement fund from revenues available for that purpose other than ad valorem taxes."

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

On page 1, line 1 of the title, after "auctioneers;" insert "amending section 10, chapter 205, Laws of 1982 and RCW 18.11.120;"

On page 1, line 4 of the title, after "36.71.070;" insert "amending section 1, chapter 165, Laws of 1953 as last amended by section 4, chapter 243, Laws of 1969 ex. sess. and RCW 45.12.100"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Ballard, Dickie, Egger, Galloway, Holland, Nealey, Prince, C. Smith and Todd.

Voting nay: Representative Moon.

Absent: Representative Ebersole.

Passed to Committee on Rules for second reading.

January 19, 1984

HB 1228 Prime Sponsor, Representative Burns: Waiving tuition for recipients of the Washington state scholars award. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, Crane, Fiske, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Struthers, Sutherland and Vander Stoep.

Absent: Representatives R. King, Silver and Tanner.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1636 Prime Sponsor, Representative J. King: Establishing a strategic economic development commission. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk, B. Williams and Wilson.

Absent: Representatives Brough, Holland, Padden and Tilly.

Passed to Committee on Rules for second reading.

January 20, 1984

HJM 33 Prime Sponsor, Representative Vekich: Memorializing Congress to proceed with the Grays Harbor navigation improvement project. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 11 after "feet" insert "to -38 feet"

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, P. King, McClure, McMullen, Miller, Mitchell, Sanders, Sayan, L. Smith, Sommers, Sutherland, Tanner, Vekich and Wilson.

Absent: Representatives Fuhrman and B. Williams.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 1192, by Representatives Walk, Schmidt, Sutherland, Mitchell, Van Dyken and Wilson (by Department of Transportation request)

Requiring notice to the department of transportation of short plats next to highway right of way.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 5th Day, January 13, 1984.)

Mr. Walk moved adoption of the committee amendment and spoke against it.

The committee amendment was not adopted.

On motion of Mr. Prince, the following amendment by Representatives Prince, Barrett and Walk was adopted:

On page 1, line 15 after "upon the" insert "legal access to the state highway, the"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 181, by Committee on Natural Resources (originally sponsored by Representatives Stratton, B. Williams, Isaacson, Sanders, Martinis, McClure, McDonald and Mitchell)

Modifying provisions regarding public lands.

The bill was read the second time. On motion of Ms. Stratton, Second Substitute House Bill No. 181 was substituted for Engrossed Substitute House Bill No. 181, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 181 was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 85, by Committee on Labor (originally sponsored by Representatives R. King and Patrick)

Revising definitions and procedures of public employees' collective bargaining.

The bill was read the second time. On motion of Mr. R. King, Second Substitute House Bill No. 85 was substituted for Substitute House Bill No. 85, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 85 was read the second time.

Mr. Bond moved adoption of the following amendment by Representatives Bond and Padden:

On page 2, after line 15, insert the following:

"Sec. 2. Section 4, chapter 131, Laws of 1973 as last amended by section 2, chapter 287, Laws of 1983 and RCW 41.56.450 are each amended to read as follows:

(1) If an agreement has not been reached following a reasonable period of negotiations and mediation, and the executive director, upon the recommendation of the assigned mediator, finds that the parties remain at impasse, then an interest arbitration panel shall be created to resolve the dispute. The issues for determination by the arbitration panel shall be limited to the issues certified by the executive director.

(2) With respect to disputes concerning uniformed personnel as defined under RCW 41.56.030(6)(a), each party shall submit to the other within four days following the issuance of the determination of the executive director that the parties remain at impasse, a final offer on each of the impasse items with proof of service of a copy upon the other party. The final offer accepted shall be determined by the voters of the jurisdiction at a special election conducted by the jurisdiction's governing body, and subsections (3) and (4) of this section shall not govern the resolution of the issues thus determined.

(3) Within seven days following the issuance of the determination of the executive director, each party shall name one person to serve as its arbitrator on the arbitration panel. The two members so appointed shall meet within seven days following the appointment of the later appointed member to attempt to choose a third member to act as the neutral chairman of the arbitration panel. Upon the failure of the arbitrators to select a neutral chairman within seven days, the two appointed members shall use one of the two following options in the appointment of the third member, who shall act as chairman of the panel: ((††)) (a) By mutual consent, the

two appointed members may jointly request the commission, and the commission shall appoint a third member within two days of such request. Costs of each party's appointee shall be borne by each party respectively; other costs of the arbitration proceedings shall be borne by the commission; or ((f)) (b) either party may apply to the commission, the federal mediation and conciliation service, or the American Arbitration Association to provide a list of five qualified arbitrators from which the neutral chairman shall be chosen. Each party shall pay the fees and expenses of its arbitrator, and the fees and expenses of the neutral chairman shall be shared equally between the parties.

(4) The arbitration panel so constituted shall promptly establish a date, time, and place for a hearing and shall provide reasonable notice thereof to the parties to the dispute. A hearing, which shall be informal, shall be held, and each party shall have the opportunity to present evidence and make argument. No member of the arbitration panel may present the case for a party to the proceedings. The rules of evidence prevailing in judicial proceedings may be considered, but are not binding, and any oral testimony or documentary evidence or other data deemed relevant by the chairman of the arbitration panel may be received in evidence. A recording of the proceedings shall be taken. The arbitration panel has the power to administer oaths, require the attendance of witnesses, and require the production of such books, papers, contracts, agreements, and documents as may be deemed by the panel to be material to a just determination of the issues in dispute. If any person refuses to obey a subpoena issued by the arbitration panel, or refuses to be sworn or to make an affirmation to testify, or any witness, party, or attorney for a party is guilty of any contempt while in attendance at any hearing held hereunder, the arbitration panel may invoke the jurisdiction of the superior court in the county where the labor dispute exists, and the court has jurisdiction to issue an appropriate order. Any failure to obey the order may be punished by the court as a contempt thereof. The hearing conducted by the arbitration panel shall be concluded within twenty-five days following the selection or designation of the neutral chairman of the arbitration panel, unless the parties agree to a longer period.

The neutral chairman shall consult with the other members of the arbitration panel, and, within thirty days following the conclusion of the hearing, the neutral chairman shall make written findings of fact and a written determination of the issues in dispute, based on the evidence presented. A copy thereof shall be served on the commission, on each of the other members of the arbitration panel, and on each of the parties to the dispute. That determination shall be final and binding upon both parties, subject to review by the superior court upon the application of either party solely upon the question of whether the decision of the panel was arbitrary or capricious."

Mr. Hastings moved adoption of the following amendment to the amendment:

On page 1, line 33 beginning with "The" strike all material down and through "determined." on page 2, line 7 and insert "The arbitration panel award under subsection (4) of this section shall be restricted to either one or the other of the final offers on each item in dispute."

Mr. Hastings spoke in favor of the amendment to the amendment, and Representatives Patrick and Bond spoke against it.

The amendment to the amendment was not adopted.

Representatives Bond and Hastings spoke in favor of the Bond amendment, and Representatives Patrick and R. King spoke against it.

The amendment was not adopted.

Second Substitute House Bill No. 85 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1120, by Representatives Armstrong, Padden, Brough, Crane, Fuhrman, Tanner, P. King, Barnes and L. Smith

Requiring release of juvenile records under certain circumstances.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1121, by Representatives Armstrong, Padden, Tanner, P. King and Clayton

Revising penalties for crimes involving explosives.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1101, by Representatives Tilly, Pruitt, Barnes, Brough, Crane, Dellwo, Fisch, J. King, Lewis, McMullen, Mitchell, Sanders, Sutherland, P. King, Hine, Miller, Halsan and L. Smith

Permitting persons hospitalized on election day to vote by absentee ballot.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 1101 was substituted for House Bill No. 1101, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1101 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1166, by Representatives Locke, Padden, Armstrong and Crane

Authorizing courts to set conditions on probation and specifying length of term.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1247, by Representatives Armstrong, Padden, Appelwick, Struthers, Barrett, Brough and Crane

Revising criminal sentencing.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1247 was substituted for House Bill No. 1247, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1247 was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 480, by Committee on Natural Resources (originally sponsored by Representatives Belcher, McClure, B. Williams and Todd)

Modifying the provisions regulating surface mines.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass with the following amendment:

On page 6, beginning on line 20 after "the" strike all material through "shall" on line 22 and insert "general fund to"

On motion of Ms. Belcher, the committee amendment was adopted.

The bill was ordered reengrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1160, by Representatives Charnley, Allen, Egger, Isaacson, Ballard, Garrett, Van Luven, Van Dyken, Brough, Smitherman, Todd and Hine

Modifying the powers of local governments.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 44, by Representatives Charnley, Isaacson, Egger, Haugen, Allen, Ballard, Garrett, Van Luven, Van Dyken, Smitherman, Todd and Hine

Establishing procedures for the adoption of county home rule charters.

The resolution was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 2, beginning on line 17, strike "for approval or rejection by county voters"

On motion of Mr. Moon, the committee amendment was adopted.

The resolution was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-109, by Representatives Powers, Galloway, Armstrong, Fisch, Haugen, Vekich, Sayan, P. King, Braddock, Smitherman, Schmidt, Ebersole, Miller, Long, Allen, Fisher and Sanders

WHEREAS, In the interest of our national security and for the protection of freedom and democracy abroad, it is the policy of the United States Government to disperse its naval forces among ports on the west coast; and

WHEREAS, Puget Sound is in a strategic position from which naval forces large and small can respond to emergencies in a most expeditious manner; and

WHEREAS, Placement of a United States Navy Carrier Battle Group in Puget Sound would provide local communities with an economic investment of construction jobs and a sustained Navy employment base; and

WHEREAS, The Navy has been and continues to be a good neighbor to communities along the Puget Sound shore; and

WHEREAS, The existing naval construction and repair facilities in Puget Sound would be more efficiently utilized with the placement of the Carrier Battle Group in Puget Sound;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives declares its support and extends a warm welcome for a move by the Navy Carrier Battle Group to the Puget Sound region; and

BE IT FURTHER RESOLVED, That copies of this Resolution be presented to the Secretary of the Navy, the members of the Washington State congressional delegation and the Governor of the State of Washington.

On motion of Ms. Powers, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-114, by Representatives Hankins, Isaacson, Allen, Miller, Prince, Dickie, Hastings, Sanders, Struthers, Nealey, Stratton and Clayton

WHEREAS, The energy problems faced by the State of Washington outnumber the energy accomplishments in recent years; and

WHEREAS, The State of Washington is a pace setter for other states in scientific fields of endeavor; and

WHEREAS, We are proud to recognize the inaugural reaction of our first commercial power generator in the State of Washington; and

WHEREAS, On January 19, 1984, at 9:43 P.M. Washington Nuclear Plant Number Two of the Washington Public Power Supply System achieved a self-sustaining chain reaction;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commends the Supply System for this historic achievement.

On motion of Ms. Hankins, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-115, by Representatives Armstrong, Todd, Appellwick, Scott, Powers, McMullen, Ebersole, Niemi, Garrett, Sommers, Galloway, Jacobsen, Moon, Halsan, Vekich, Zellinsky, Walk, Locke, Belcher, Kreidler, Charnley, Dellwo, Burns, Wang, Grimm, McClure, Brekke, Rust, D. Nelson, Fisher, Pruitt, Hine, Heck, Braddock, Egger, R. King, J. King, Lux, O'Brien, Sutherland, Haugen, Sayan, Fisch, Ellis, Gallagher, Kaiser, Smitherman, P. King, Monohon, Tanner, Crane and Sanders

WHEREAS, The Federal Communications Commission has delayed imposition of customer access line charges; and

WHEREAS, The Washington Utilities and Transportation Commission has imposed customer access line charges which are costing Washington ratepayers over three million dollars per month; and

WHEREAS, The promised benefits of the access charge plan in the form of lower long distance rates have not materialized; and

WHEREAS, Washington ratepayers are paying higher telephone rates, with no increase in service, as a result of the Washington Utilities and Transportation Commission's imposition of the access charge; and

WHEREAS, Washington ratepayers deserve consistency and fairness in telephone rates;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Washington Utilities and Transportation Commission is requested immediately to reverse its customer access line charge and order refunds to ratepayers of all money collected under the access charge tariffs; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives immediately transmit copies of this Resolution to the Washington Utilities and Transportation Commission.

On motion of Mr. Armstrong, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-116, by Representatives G. Nelson, Allen and Sanders

WHEREAS, The House of Representatives strives to acknowledge major accomplishments by citizens of this great state; and

WHEREAS, Rosalynn Sumners from Edmonds, Washington won her third straight United States figure-skating championship on January 21, 1984; and

WHEREAS, This win by Ms. Sumners earned her a position on the United States Olympic figure-skating team; and

WHEREAS, Ms. Sumners will compete in the Sarajevo, Yugoslavia Winter Olympic games in three weeks;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives congratulates Rosalynn Sumners and wishes her success in Sarajevo.

On motion of Ms. Allen, the resolution was adopted.

MOTION

On motion of Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1187, by Representatives Tanner, Ebersole, Vekich, Kaiser and Powers

Regulating the practice of hairstyling.

The bill was read the second time. On motion of Mr. Tanner, Substitute House Bill No. 1187 was substituted for House Bill No. 1187, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1187 was read the second time.

Mr. B. Williams moved adoption of the following amendments by Representatives B. Williams and Tanner:

On page 1, line 12 strike "cosmetologists" and insert "cosmetology, barbering, and manicuring"

On page 2, line 4 strike "esthetics" and insert "manicuring"

On page 2, line 10 strike "Esthetician" and insert "Manicurist"

On page 2, line 14 strike "or esthetics" and insert ", barbering, or manicuring"

On page 2, line 16 strike "(9)" and insert "(10)"

On page 2, line 18 after "cosmetology" insert ", barbering, or manicuring"

On page 2, line 22 strike "esthetics" and insert "manicuring"

On page 3, line 8 after "cosmetologist" insert ", barber, or manicurist"

On page 3, line 13 strike "esthetics" and insert "manicuring"

On page 3, line 14 strike "cosmetology"

On page 3, line 15 strike "cosmetology"

On page 3, line 19 strike "cosmetology"

On page 3, line 21 strike "a cosmetologist" and insert "the appropriate"

On page 3, line 25 strike "esthetics" and insert "manicuring"

On page 4, line 1 strike "cosmetology"

On page 4, line 17 strike "cosmetology"

On page 4, line 24 after "cosmetology" insert ", barbering, or manicurist"

On page 5, line 3 strike "cosmetology"

On page 5, line 5 strike "of cosmetology"

On page 5, line 11 after "cosmetology" insert ", barbering, and manicuring"
 On page 5, line 18 after "cosmetology" insert ", barbering, or manicuring"
 On page 6, line 13 strike "esthetician" and insert "manicurist"
 On page 6, line 26 after "cosmetology" insert ", barbering, or manicuring"
 On page 8, line 2 strike "an esthetician" and insert "a manicurist"
 On page 8, line 6 after "(5) Any" insert "cosmetology"
 On page 8, line 19 after "cosmetologists" insert ", barbers, and manicurists"

Representatives B. Williams and Tanner spoke in favor of the amendments, and they were adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Tanner:

On page 1, strike lines 14 through 22 and insert:

"(3) The practice of cosmetology means the practice of manicuring, the practice of barbering, and/or the permanent waving, chemical relaxing or straightening, bleaching, or coloring of the hair of the face, neck, and scalp."

Representatives Tilly and Tanner spoke in favor of the amendment, and it was adopted.

Mr. B. Williams moved adoption of the following amendments:

On page 2, beginning on line 33 strike all of subsection (12) and renumber the remaining subsections consecutively.

On page 3, line 27 after "the board;" insert "and"

On page 3, line 29 strike "director;" and insert "director."

On page 3, strike lines 30 through 33.

Representatives B. Williams, Moon, Lux and Brough spoke in favor of the amendments, and Representatives Tanner and Haugen spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to Substitute House Bill No. 1187, and the amendments were not adopted by the following vote: Yeas, 47; nays, 47; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brough, Chandler, Clayton, Crane, Dickie, Fisher, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Kreidler, Lewis, Locke, Long, Lux, Mitchell, Moon, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Schoon, Silver, Smith C, Smith L, Tilly, Van Dyken, Van Luven, Vander Stoep, Wang, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Cantu, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J, King P, King R, McClure, McMullen, Miller, Monohon, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Vekich, Walk, West, Zellinsky, and Mr. Speaker - 47.

Absent: Representative Broback - 1.

Excused: Representatives Niemi, Schmidt, Struthers - 3.

Ms. Brough moved adoption of the following amendment:

On page 5, beginning on line 35 strike "An applicant who receives a passing grade as determined by the board is entitled to the appropriate license for which the applicant was examined."

Ms. Brough spoke in favor of the amendment and Mr. Tanner spoke against it.

The amendment was not adopted.

On motion of Mr. Moon, the following amendment was adopted:

On page 5, line 12 after "appointed by the" strike "director" and insert "governor"

Substitute House Bill No. 1187 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Wang, the House adjourned until 1:00 p.m., Tuesday, January 24, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

SIXTEENTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, January 24, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Wilson.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Vonnie Stone and Dan Norton. Prayer was offered by The Reverend Kenneth Lawrence, Minister of the Tumwater Evangelical Free Church.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 23, 1984

Mr. Speaker:

The Senate has passed:

SECOND REENGROSSED SENATE BILL NO. 3636.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HCR 38 by Representatives Heck and G. Nelson

Welcoming Canadian dignitaries to Olympia.

2RESB 3636 by Senators Vognild, Lee, Rinehart, Hurley, Hughes, Talmadge, Hemstad, Woody, Goltz and Quigg

Making certain fireworks violations gross misdemeanors.

Referred to Committee on Commerce & Economic Development.

MOTIONS

On motion of Mr. Heck, the rules were suspended, and House Concurrent Resolution No. 38 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

Mr. Heck spoke in favor of the resolution and it was adopted.

REPORTS OF STANDING COMMITTEES

January 24, 1984

HB 1137 Prime Sponsor, Representative Kreidler: Authorizing demonstration projects on respite care services. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

January 20, 1984

HB 1138 Prime Sponsor, Representative Ebersole: Requiring comprehensive plans to provide for protection of ground water. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lux, Patrick, Pruitt and J. Williams.

Absent: Representatives Clayton, Lewis and Van Dyken.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1139 Prime Sponsor, Representative Kaiser: Clarifying provisions relating to ground water rights. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Ballard, Dickie, Egger, Galloway, Holland, Moon, Nealey, Prince, C. Smith and Todd.

Absent: Representatives Ballard and Ebersole.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1164 Prime Sponsor, Representative Heck: Revising solid waste management procedures. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lux, Patrick, Pruitt and J. Williams.

Absent: Representatives Clayton, Lewis and Van Dyken.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1169 Prime Sponsor, Representative Appelwick: Modifying requirements pertaining to contests of chance. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Holland, Kaiser, Niemi, Powers, Schmidt, Silver, Smitherman, Stratton, Van Dyken, Walk and Wilson.

Voting nay: Representatives Tanner, Vice Chair; Haugen, Padden, Schoon, L. Smith and Tilly.

Absent: Representatives B. Williams and Wilson.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1219 Prime Sponsor, Representative R. King: Establishing collective bargaining procedures for community college employees. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Chandler, Clayton, Patrick, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1228 Prime Sponsor, Representative Burns: Waiving tuition for recipients of the Washington state scholars award. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

January 20, 1984

HB 1250 Prime Sponsor, Representative Belcher: Requiring a management program for the Nisqually river system. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Lux, Patrick and Pruitt.

Voting nay: Representatives Hankins and J. Williams.

Absent: Representatives Clayton, Lewis and Van Dyken.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1254 Prime Sponsor, Representative Monohon: Defining earnable compensation for part-time teachers' retirement. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Appelwick, Fiske and Hastings.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1304 Prime Sponsor, Representative Smitherman: Defining teachers eligible under the teachers' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

On page 6, line 28 after "assistants" strike everything through "~~((any))~~" on line 31, and insert "and ~~((certificated))~~ all employees certificated by the superintendent of public instruction; and in addition thereto any ~~((qualified school librarian, any registered nurse or any))"~~

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Fiske and Hastings.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1439 Prime Sponsor, Representative Fisch: Modifying provisions relating to unemployment compensation. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1462 Prime Sponsor, Representative R. King: Modifying provisions relating to unemployment compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 11 after "cause" insert ", if the person has left because of a compelling personal reason"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler, Clayton, Patrick, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

January 20, 1984

HB 1691 Prime Sponsor, Representative Ellis: Authorizing tax credits for seed capital investments. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk, B. Williams and Wilson.

Absent: Representatives Padden and Tilly.

Referred to Committee on Ways & Means.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 342, by Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Lewis, Dellwo and Brekke; by Department of Social and Health Services request)

Authorizing limited access to state records for research purposes.

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

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 342, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent, 6; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, and Mr. Speaker - 90.

Voting nay: Representatives Smitherman, Zellinsky - 2.

Absent: Representatives Crane, Hankins, King J, Niemi, O'Brien, Wilson - 6.

Engrossed Substitute House Bill No. 342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1162, by Representatives Stratton, Mitchell, Halsan and Van Dyken

Correcting double amendments and making other technical corrections in the fisheries code.

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

Ms. Stratton spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1162, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Hankins, Wilson - 2.

House Bill No. 1162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1213, by Committee on Judiciary (originally sponsored by Representatives Armstrong, Padden, McMullen, Schmidt and Dellwo)

Reorganizing and revising Washington trust law.

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

Mr. Armstrong spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Padden.

Mr. Padden: "Representative McMullen, you and I are both members of the Judiciary Committee which heard this bill and passed it out unanimously. Is it true that there were comments in the proposal prepared by the Bar Association Task Force which the committee refused to go along with?"

Mr. McMullen: "Yes, Representative Padden, the comments which are attached represent the intent of the Judiciary Committee."

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1213, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives McClure, Wilson - 2.

Engrossed Substitute House Bill No. 1213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1247, by Committee on Judiciary (originally sponsored by Representatives Armstrong, Padden, Appelwick, Struthers, Barrett, Brough and Crane)

Revising criminal sentencing.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1247, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wilson - 1.

Substitute 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.

HOUSE BILL NO. 1120, by Representatives Armstrong, Padden, Brough, Crane, Fuhrman, Tanner, P. King, Barnes and L. Smith

Requiring release of juvenile records under certain circumstances.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1120, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wilson - 1.

House Bill No. 1120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1166, by Representatives Locke, Padden, Armstrong and Crane

Authorizing courts to set conditions on probation and specifying length of term.

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

Mr. Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1166, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wilson - 1.

House Bill No. 1166, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1121, by Representatives Armstrong, Padden, Tanner, P. King and Clayton

Revising penalties for crimes involving explosives.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1121, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wilson - 1.

House Bill No. 1121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE JOINT RESOLUTION NO. 44, by Representatives Charnley, Isaacson, Egger, Haugen, Allen, Ballard, Garrett, Van Luven, Van Dyken, Smitherman, Todd and Hine

Establishing procedures for the adoption of county home rule charters.

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

Mr. Charnley spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 44, and the resolution passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wilson - 1.

House Joint Resolution No. 44, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1187, by Committee on Commerce & Economic Development (originally sponsored by Representatives Tanner, Ebersole, Vekich, Kaiser and Powers)

Regulating the practice of cosmetology.

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

Mr. Tanner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1187, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Gallagher, Moon - 2.

Absent: Representative Wilson - 1.

Engrossed Substitute House Bill No. 1187, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1101, by Committee on Constitution, Elections & Ethics, (originally sponsored by Representatives Tilly, Pruitt, Barnes, Brough, Crane, Dellwo, Fisch, J. King, Lewis, McMullen, Mitchell, Sanders, Sutherland, P. King, Hine, Miller, Halsan and L. Smith)

Permitting persons hospitalized on election day to vote by absentee ballot.

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

Mr. Tilly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1101, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wilson - 1.

Substitute House Bill No. 1101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1160, by Representatives Charnley, Allen, Egger, Isaacson, Ballard, Garrett, Van Luven, Van Dyken, Brough, Smitherman, Todd and Hine

Modifying the powers of local governments.

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

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1160, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wilson - 1.

House Bill No. 1160, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Wilson appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 1192, by Representatives Walk, Schmidt, Sutherland, Mitchell, Van Dyken and Wilson (by Department of Transportation request)

Requiring notice to the department of transportation of short plats next to highway right of way.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1192, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative King R - 1.

Engrossed House Bill No. 1192, having received the 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 SUBSTITUTE HOUSE BILL NO. 181, by Committee on Ways & Means (originally sponsored by Representatives Stratton, B. Williams, Isaacson, Sanders, Martinis, McClure, McDonald and Mitchell)

Modifying provisions regarding public lands.

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

Ms. Stratton spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 181, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Second Substitute House Bill No. 181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SUBSTITUTE HOUSE BILL NO. 480, by Committee on Natural Resources (originally sponsored by Representatives Belcher, McClure, B. Williams and Todd)

Modifying the provisions regulating surface mines.

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

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 480, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Reengrossed Substitute House Bill No. 480, having received the 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 SUBSTITUTE HOUSE BILL NO. 85, by Committee on Labor (originally sponsored by Representatives R. King and Patrick)

Expanding number of counties subject to binding arbitration for law enforcement officers.

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

Representatives R. King, Barrett, Brough and Patrick spoke in favor of passage of the bill, and Representatives Bond, Nealey and G. Nelson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 85, and the bill passed the House by the following vote: Yeas, 71; nays, 27; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Barnes, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Hine, Holland, Long, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Williams J, Wilson - 27.

Second Substitute House Bill No. 85, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1135, by Representatives Hine, Wang, Sutherland, Armstrong and Crane

Revising the notice requirements for motor vehicle warranties.

The bill was read the second time and passed to Committee on Rules for third reading.

Representative Struthers was excused.

HOUSE BILL NO. 879, by Representatives Kaiser, Schoon, Grimm, Jacobsen and Brough

Authorizing the establishment of community corporations.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 879 was substituted for House Bill No. 879, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 879 was read the second time.

Mr. D. Nelson moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the purpose of this chapter to encourage citizen involvement in government at the community level within the unincorporated areas of the counties of the state of Washington. The legislature intends to permit local communities to have input on land use and other issues through the establishment of community corporations as legal entities of county governments.

NEW SECTION. Sec. 2. The legislative authority of any county may by resolution propose the establishment of one or more community corporations within the unincorporated area of the county. In adopting such resolution, the county legislative authority shall consider the extent to which the residents of the area encompassed by the proposed community corporation share common concerns regarding land use decisions as a result of geographical location, terrain, pattern of development, and other features which make the area distinctive as a community.

NEW SECTION. Sec. 3. The establishment of a community corporation may also be initiated by a petition presented to a county legislative authority which requests that an election be held to establish a corporation within a portion of the unincorporated area of the county. The petition shall describe the boundaries of the area encompassed by the proposed community corporation. The petition presented to a county legislative authority shall be signed by at least one percent of the registered voters who reside in the unincorporated area where the community corporation is proposed to be created, or by one hundred of such voters, whichever is greater. No community corporation may be formed that has less than one hundred registered voters residing within its boundaries.

NEW SECTION. Sec. 4. Upon receipt of the petition, the county legislative authority shall transmit the petition to the county auditor who shall examine and certify the signatures. Within thirty days following the receipt of the petition, the auditor shall transmit the petition to the county legislative authority along with the certification of signatures.

NEW SECTION. Sec. 5. Upon the adoption of a resolution under section 2 of this act, or upon receipt of a petition certified under the provisions of section 4 of this act, the legislative authority of a county shall hold a hearing on the establishment of the community corporation.

NEW SECTION. Sec. 6. The legislative authority of the county shall consider the establishment of the community corporation at the hearing held under section 5 of this act. All persons appearing at the meeting shall have an opportunity to be heard and to voice protests. The hearing may be continued from time to time, but the total number of days from the first day of the hearings to the final day shall not exceed sixty days.

NEW SECTION. Sec. 7. If, after hearing public testimony on the issue, the legislative authority of the county determines that the welfare of the residents of the area encompassed by the proposed community corporation will be served by the establishment of the corporation, it shall declare such to be its finding. Upon this determination, a resolution shall be adopted which sets the date of an election at which the voters of the proposed community corporation area shall approve, or disapprove, the establishment of the community corporation. The resolution may contain modifications in the boundaries described in the original petition or resolution.

NEW SECTION. Sec. 8. A community corporation shall be established upon the approval of a proposition providing for the creation of the the community corporation by a majority of those voting in the election.

NEW SECTION. Sec. 9. Upon the establishment of a community corporation within an unincorporated area of a county, the county legislative authority shall establish and provide for a process to elect the members of the community council, and to fill any vacancies on such councils. The community council shall be the governing body of the community corporation and shall have at least five voting members. Community council members shall serve two year staggered terms and shall not be subject to the provisions of chapter 42.17 RCW, the public disclosure act. The legislative authority of any county within the unincorporated territory of which such a community council is established shall adopt procedures and policies to insure that: (1) Public notice is provided for any meetings of the community council; (2) meetings are open to the general public; and (3) a set of bylaws is developed to govern the community corporation.

NEW SECTION. Sec. 10. A community corporation may make recommendations concerning: (1) Land uses, land use proposals, the division of land, and the improvement or development of property or land; (2) public facilities; (3) vehicular traffic; and (4) other matters of concern within the community.

NEW SECTION. Sec. 11. The boundaries of a community corporation may be altered upon both: (1) The adoption of a resolution by the community council providing for the alteration; and (2) approval of a proposition, providing for the alteration, by voters voting on the proposition who reside in the area proposed to be withdrawn from the community corporation, or the area proposed to be added to the community corporation. A community corporation's boundary shall not be altered to include any area located within a city or town.

NEW SECTION. Sec. 12. A community corporation shall be dissolved whenever less than one hundred registered voters reside within its boundaries. Whenever any area located within the boundaries of a community corporation is annexed into a city or town, the area which is annexed shall be automatically withdrawn from the community corporation. If the entire community corporation is annexed into a city or town, the community corporation shall cease to exist.

NEW SECTION. Sec. 13. A community corporation shall also be dissolved upon a majority vote of the registered voters residing within such corporation voting in favor of a proposition to dissolve the corporation. The proposition shall be presented to the registered voters of a community corporation located within the unincorporated area of a county upon the resolution of the county legislative authority. One percent of the registered voters residing within such a corporation, or one hundred of such voters, whichever is greater, however, may petition their legislative authority and request that such a proposition be presented to the voters.

NEW SECTION. Sec. 14. 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. 15. Sections 1 through 13 of this act shall constitute a new chapter in Title 36 RCW."

Representatives D. Nelson, Hine and Kaiser spoke in favor of the amendment, and Representatives Van Dyken, Charnley and Broback spoke against it.

Mr. Kaiser spoke again in favor of the amendment.

The amendment was adopted.

Substitute House Bill No. 879 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1778, by Representative Charnley

Authorizing an act to carry out a treaty between the United States and Canada to permit certain public utility districts and cities to enter into agreements with British Columbia regarding recreational opportunities and environmental protection.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 1778 was substitute for House Bill No. 1778, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1778 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Charnley and Bond spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1778, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellynsky, and Mr. Speaker - 96.

Voting nay: Representative Moon - 1.

Excused: Representative Struthers - 1.

Substitute House Bill No. 1778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1188, by Representatives Lux, Sanders, Kreidler, Belcher, Garrett and Patrick

Revising the credit union laws.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1188 was substituted for House Bill No. 1188, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1188 was read the second time.

On motion of Mr. Lux, the following amendment by Representatives Lux and Sanders was adopted:

On page 24, line 25 after "value of the" insert "modular home or"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1200, by Representatives Walk, Cantu and Wilson (by Governor Spellman request)

Adopting the supplemental transportation budget.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1200 was substituted for House Bill No. 1200, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1200 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1103, by Representatives Wang, Lux, Sanders, Ballard, Kreidler, Brough, Lewis, Mitchell, Van Luven, Barrett and Schoon

Modifying health insurance coverage for newborn infants.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 23, 1984

HB 1190 Prime Sponsor, Representative Grimm: Authorizing the issuance of general obligation bonds for the department of corrections. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "sum of" strike "twenty-two million seven hundred sixty-three" and insert "eleven million nine hundred twenty"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Struthers.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1195 Prime Sponsor, Representative Braddock: Authorizing the issuance of bonds for the community college system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu,

Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Voting nay: Representative G. Nelson.

Absent: Representatives Bond and Struthers.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1204 Prime Sponsor, Representative Jacobsen: Authorizing port district sponsored export projects. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Haugen, Kaiser, Powers, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, B. Williams and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representatives Halsan, Holland, Niemi, Schmidt, Van Dyken and Walk.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE BILL NO. 1582 was rereferred from Committee on Judiciary to Committee on Ways & Means.

On motion of Mr. Heck, HOUSE BILL NO. 1636 was rereferred from Committee on Rules to Committee on Ways & Means.

On motion of Mr. Heck, HOUSE BILL NO. 1638 was rereferred from Committee on Social & Health Services to Committee on State Government.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Wednesday, January 25, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

SEVENTEENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, January 25, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Miller and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Jennifer Brzusek and Eric Rautenberg. Prayer was offered by The Reverend Kenneth Lawrence, Minister of the Tumwater Evangelical Free Church.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 24, 1984

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3001,
ENGROSSED SUBSTITUTE SENATE BILL NO. 3415,
SUBSTITUTE SENATE BILL NO. 3429,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HCR 39 by Representatives Van Dyken, Moon, Hine, Brough, Haugen, Allen, Ebersole, Ballard, Todd, Van Luven, Charnley, Chandler, Smitherman, Broback, Garrett, Egger and Grimm

Establishing a joint select committee to review laws and policies related to community growth and development.

Referred to Committee on Rules

SB 3001 by Senator Conner

Modifying eligibility provisions for participation in elections concerning major energy project bonds.

Referred to Committee on Energy & Utilities

ESSB 3415 by Committee on Parks & Ecology (originally sponsored by Senators Hughes, Hurley, McDermott, Talmadge, Williams, Haley, Bauer and Lee)

Modifying guidelines on the use and management of state ground waters.

Referred to Committee on Environmental Affairs

ESSB 3429 by Committee on Judiciary (originally sponsored by Senators Talmadge and Granlund)

Establishing a state advisory commission on criminal justice.

Referred to Committee on Judiciary

MOTION

On motion of Mr. Heck, the bills and resolution listed on today's introduction sheet were considered first reading under the fourth order of business and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 23, 1984

HB 1123 Prime Sponsor, Representative Monohon: Permitting the state employees' insurance board to expand its methods for providing insurance coverage. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman, Tilly and Vander Stoep.

Voting nay: Representatives Addison, Bond, Cantu, Fiske, Hastings, G. Nelson, Sanders and Taylor.

Absent: Representatives Heck and Struthers.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1124 Prime Sponsor, Representative Moon: Simplifying government borrowing. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Grimm and Todd.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1130 Prime Sponsor, Representative Moon: Modifying provisions relating to the duties of county officials. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Grimm, Isaacson, Smitherman, Todd and Van Luven.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1194 Prime Sponsor, Representative Braddock: Authorizing the issuance of bonds for the department of social and health services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 11 after "hundred" strike "twenty-six"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Struthers.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1212 Prime Sponsor, Representative Stratton: Establishing the department of children and family services. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; J. King, Mitchell, Padden, Scott, Stratton, West and B. Williams.

Voting nay: Representatives Ballard, Braddock, Lewis, McClure and Wang.

Absent: Representatives Broback and Niemi.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1246 Prime Sponsor, Representative Galloway: Relating to improving excellence in education. Reported by Committee on Rules

Referred from Rules to Committee on Education.

January 23, 1984

HB 1268 Prime Sponsor, Representative Hine: Authorizing the issuance of bonds for common school plant facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Struthers.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1348 Prime Sponsor, Representative Jacobsen: Providing exemptions from payment of operating fees to certain students with graduate service appointments. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment.
On page 1, line 20 after "as to" strike "assure" and insert "ensure"

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Barnes, Brough, Crane, Fiske, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Sutherland, Tanner and Vander Stoep.

Absent: Representatives Allen, Fiske and Struthers.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1427 Prime Sponsor, Representative Sutherland: Requiring identification placards on vehicles using alternative fuel sources. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 after "placard" strike "approved" and insert "issued"

On page 1, line 19 after "not been" strike "approved" and insert "issued"

On page 1, line 20 after "placard" strike "approved" and insert "issued"

On page 1, line 23 after "placard is" strike "approved" and insert "issued"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Berozoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Fisch, Locke and Schmidt.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1471 Prime Sponsor, Representative Grimm: Providing a timber excise tax rate. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice-Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sanders, Sayan and Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Cantu, Hastings, G. Nelson, Taylor and Tilly.

Voting nay: Representatives Bond, Cantu, Hastings, G. Nelson, Smitherman, Taylor and Tilly.

Absent: Representative Struthers.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1530 Prime Sponsor, Representative Garrett: Updating the Model Traffic Ordinance. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Locke, McMullen, Schmidt and C. Smith.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1758 Prime Sponsor, Representative D. Nelson: Relating to joint development of thermal power facilities. (t.o.) Reported by Committee on Rules

Referred from Rules to Committee on Energy & Utilities.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 710, by Committee on Energy & Utilities (originally sponsored by Representatives D. Nelson, Miller, Braddock and Todd)

Authorizing municipal corporations to develop electrical generation facilities.

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

Mr. D. Nelson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Nelson, you mentioned in your comments that the cities already have a citation that permits them to use the right of eminent domain outside the city limits. Could you cite for us the reference that gives that power and for what purposes?"

Mr. D. Nelson: "In RCW 8.12.030, cities may exercise the power of eminent domain within or without the limits of the city for drains, sewers, aqueducts, water systems. In Title 35 (I don't have the exact citation), cities and towns are authorized to operate water, sewer and electric systems and to acquire lands within or without the jurisdiction for such purposes."

Mr. G. Nelson: "When was that passed?"

Mr. D. Nelson: "I really can't tell you when that was passed, but it's Title 35A RCW."

Mr. G. Nelson spoke against passage of the bill, and Mr. Sanders spoke in favor of it.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Nelson, could you tell me where the right of eminent domain has ever been used by a city outside its jurisdiction for the purposes cited in RCW 8 and 35?"

Mr. D. Nelson: "I cannot tell you offhand. I know in the case of my own city, which operates a water system and an electrical generating system that is outside of its boundaries, I would guess that eminent domain may have been used in those

cases. I can't tell you with any certainty that it has, but if it hasn't, I guess I could add this editorial comment that suggests it has been used prudently even though that right is in the law as it exists right now."

Mr. G. Nelson again opposed passage of the bill, and Mr. D. Nelson spoke again in favor of it.

Mr. Padden spoke against passage of the bill, and Mr. Isaacson spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 710, and the bill passed the House by the following vote: Yeas, 75; nays, 17; absent, 4; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Todd, Van Luven, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Addison, Barrett, Bond, Chandler, Clayton, Dellwo, Dickie, Fuhrman, Lewis, Mitchell, Nelson G, Padden, Schmidt, Silver, Stratton, Taylor, West - 17.

Absent: Representatives Allen, Hankins, Tilly, Vander Stoep - 4.

Excused: Representatives Miller, Van Dyken - 2.

Substitute House Bill No. 710, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 879, by Committee on Local Government (originally sponsored by Representatives Kaiser, Schoon, Grimm, Jacobsen and Brough)

Authorizing the establishment of community corporations.

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

Representatives Kaiser and Brough spoke in favor of passage of the bill, and Mr. Broback spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 879, and the bill passed the House by the following vote: Yeas, 66; nays, 26; absent, 4; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brække, Brough, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 66.

Voting nay: Representatives Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dellwo, Dickie, Fuhrman, Hastings, Haugen, Isaacson, Johnson, Mitchell, Padden, Patrick, Schmidt, Smith C, Stratton, Taylor, Van Luven, West, Williams B, Williams J, Wilson, Zellinsky - 26.

Absent: Representatives Allen, Hankins, Tilly, Vander Stoep - 4.

Excused: Representatives Miller, Van Dyken - 2.

Engrossed Substitute House Bill No. 879, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1103, by Representatives Wang, Lux, Sanders, Ballard, Kreidler, Brough, Lewis, Mitchell, Van Luven, Barrett and Schoon

Modifying health insurance coverage for newborn infants.

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

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1103, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Haisan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Allen, Hankins, Tilly - 3.

Excused: Representatives Miller, Van Dyken - 2.

House Bill No. 1103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1135, by Representatives Hine, Wang, Sutherland, Armstrong and Crane

Revising the notice requirements for motor vehicle warranties.

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

Ms. Hine spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Hine, in reading through this, if we don't require written notice with each case, then the final notification is required in writing. What proof is used with respect to the four attempts to repair the car?"

Ms. Hine: "Representative Isaacson, you send in all four attempts, but you do it only after the fourth time. You show the validity of each of those times, but you don't have to send in each one separately. Only after you have accumulated those attempts and failed are you going to want recompense under the bill anyway."

Mr. Isaacson: "What constitutes proof of an attempt to repair? In other words, what is a valid test?"

Ms. Hine: "Your work orders, receipts from that shop that has done it. You will have to forward copies of those papers."

Mr. Isaacson: "Does it require a shop order specifically?"

Ms. Hine: "No."

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Zellinsky.

Mr. Zellinsky: "Representative Armstrong, in our industry there is a large amount of money invested in sales tax. When this factory buys this car back from the consumer is there any provision to compensate him for the sales tax that has been expended on this supposed lemon vehicle?"

Mr. Armstrong: "Under the terms of WAC 458.20.0108, and the Department of Revenue's interpretation of that, the Department of Revenue would permit a proportionate amount of the money that is being returned on account of the defect."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1135, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Haisan, Hankins, Hastings, Haugen, Heck, Hine, Holland,

Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Tilly - 1.

Excused: Representatives Miller, Van Dyken - 2.

House Bill No. 1135, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1188, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Sanders, Kreidler, Belcher, Garrett and Patrick)

Revising the credit union laws.

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

Representatives Lux and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1188, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Tilly - 1.

Excused: Representatives Miller, Van Dyken - 2.

Engrossed Substitute House Bill No. 1188, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1200, by Committee on Transportation (originally sponsored by Representatives Walk, Cantu and Wilson; by Governor Spellman request)

Adopting the supplemental transportation budget.

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

Representatives Walk and Wilson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Walk yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Walk, during the testimony on the portion of the budget where we are allocating an additional \$75,000 to the Marine Employees' Commission, it was stated that this is a pure guesstimate to fund our brand new commission. Since they are a brand-new commission and since the LTC will have oversight into their activities and expenditures, do you feel that it is appropriate as Chairman of LTC to send a letter that we would like to have a monthly accounting of how the money is being spent?"

Mr. Walk: "Representative Schmidt, the answer is 'Yes.' The commission has already been informed that we will be requesting that of them and the letter is now being prepared."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1200, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Tilly - 1.

Excused: Representatives Miller, Van Dyken - 2.

Substitute House Bill No. 1200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1133, by Representatives Sommers, Long, Jacobsen, Fisher, Miller, Barnes, Pruitt, Schoon, Patrick, Wang, Todd and Lux

Specifying requirements for political advertising.

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

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1133, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

Engrossed House Bill No. 1133, having received the 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 Mr. Heck, the House reverted to the sixth order of business.

MESSAGE FROM THE SENATE

January 25, 1984

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 38,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
HOUSE CONCURRENT RESOLUTION NO. 38.

SECOND READING

HOUSE BILL NO. 1128, by Representatives Charnley and Brough

Filling vacancies of special purpose district representatives.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1128, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

House Bill No. 1128, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1110, by Representatives Heck, Tilly, Sommers, Vander Stoep, B. Williams, Egger and P. King (by Legislative Budget Committee request)

Abolishing the governor's council on criminal justice

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Heck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1110, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

House Bill No. 1110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1108, by Representatives Heck, Sommers and B. Williams (by Legislative Budget Committee request)

Repealing the veterans' loan insurance program.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Heck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1108, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

House Bill No. 1108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1107, by Representatives Ebersole, Hankins, Niemi, J. King, Lewis, Tanner, P. King, O'Brien, Todd and Halsan (by Planning and Community Affairs Agency request)

Extending the bond allocation formula for the housing finance commission.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1107, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

House Bill No. 1107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 791, by Representatives Charnley, Addison and Sommers

Modifying provisions concerning county hospitals.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 791 was substituted for House Bill No. 791, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 791 was read the second time.

On motion of Mr. Moon, the following amendment was adopted:

On page 5, line 31 following "hospital," strike "to" and on line 32 following "and" strike "to"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 791, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

Engrossed Substitute House Bill No. 791, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1170, by Representatives Sayan and Belcher

Establishing a career executive program for higher education personnel.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 1170 was substituted for House Bill No. 1170, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1170 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading was considered the third, and the bill was placed on final passage.

Mr. Sayan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1170, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

Substitute House Bill No. 1170, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1181, by Representatives Tanner and Addison

Authorizing the selection of ten students to attend a compact-authorized program in osteopathic medicine.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 1181 was substituted for House Bill No. 1181, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1181 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1218, by Representatives Todd, Egger, Haugen, Nealey, Ebersole, Smitherman, Clayton and Crane

Altering the regulation of auctioneers.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 15th Day, January 23, 1984.)

On motion of Mr. Kaiser, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Todd spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Todd yielded to question by Mr. Lux.

Mr. Lux: "Representative Todd, does this bill provide that, in lieu of a bond, an auctioneer can put the cash money in a savings account somewhere and have a lien attachment by the state?"

Mr. Todd: "Yes, Representative Lux, the provisions of 1218 are maintained in that regard."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1218, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Haisan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Moon, Vekich - 2.

Excused: Representatives Miller, Van Dyken - 2.

Engrossed House Bill No. 1218, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 42, by Representatives R. King and Wang

Requesting the establishment of a National Academy of Peace and Conflict Resolution.

The memorial was read the second time.

Mr. Bond moved adoption of the following amendment by Representatives Bond, Fuhrman, Barnes, B. Williams, Hastings, Nealey and Padden:

On page 1, beginning on line 8 strike all material through line 5 on page 2 and insert:

"WHEREAS, The recognized communist plan for conquest of the United States includes: external encirclement, internal demoralization and thermo-nuclear blackmail which leads to progressive surrender; and

WHEREAS, As a result, international and national conflict is an escalating and grave concern to the security of our nation, and may prove to be a threat to our survival; and

WHEREAS, The United States stands alone in the way of communist world conquest; and

WHEREAS, The Soviets spend an enormous amount of money on agitation and propaganda throughout the world which is largely unanswered by the West; and

WHEREAS, The need to establish an institution advocating a powerful message of freedom to supplement and complement our military strength is in the best interest of our national security; and

WHEREAS, The establishment of a National Academy of Freedom by our nation would be a powerful contribution to the peace of the world and also a significant symbol of our support of freedom; and

WHEREAS, The establishment of a National Academy of Freedom would establish the nation's interest in promoting freedom throughout the world; and

WHEREAS, The activities of the National Academy of Freedom would demonstrate that freedom is a very attractive alternate to communist aggression and oppression and thereby enforce the image of our nation as the peacemaking leader of the world; and

WHEREAS, The benefits of promoting freedom would far outweigh the minimal cost, estimated at one percent of the national defense budget;

NOW, THEREFORE, Your Memorialists respectfully pray that the United States Congress establish a National Academy of Freedom; and*

Representatives Bond and Padden spoke in favor of the amendment, and Representatives R. King and Lux spoke against it.

Mr. Bond spoke again in favor of the amendment.

The amendment was not adopted.

Housed Joint Memorial No. 42 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1287, by Representatives Brekke, Mitchell, Tilly, Kreidler, Patrick, Taylor, Long, Johnson, Cantu, Barnes, Betzoff, Schoon, Van Dyken, Broback, Ballard, Isaacson, Wilson, West, Silver, Barrett, Charnley, Dellwo, Holland, O'Brien, L. Smith, Struthers, Wang, P. King, Brough, Galloway, B. Williams, Schmidt, Todd and Tanner (by Governor Spellman request)

Modifying the operation of and extending the Washington council for the prevention of child abuse and neglect.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1287, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

House Bill No. 1287, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1136, by Representative Halsan

Allowing an abandoned junk motor vehicle to remain at the site for the required notification period.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1136 was substituted for House Bill No. 1136, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1136 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Halsan and Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1136, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Van Dyken - 2.

Substitute House Bill No. 1136, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1449, by Representatives Galloway, Holland and Powers (by Superintendent of Public Instruction request)

Revising the remediation assistance program.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1449 was substituted for House Bill No. 1449, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1449 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Galloway and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1449, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative King R - 1.

Excused: Representatives Miller, Van Dyken - 2.

Substitute House Bill No. 1449, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative B. Williams was excused.

HOUSE BILL NO. 1456, by Representatives Galloway, P. King, Ebersole and Powers (by Superintendent of Public Instruction request)

Revising requirements for transitional bilingual education.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1456 was substituted for House Bill No. 1456, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1456 was read the second time.

On motion of Mr. Locke, the following amendment by Representatives Locke and Galloway was adopted:

On page 2, line 28 after "manner" strike everything through line 29 and insert "to achieve competency in English and"

Mr. Locke moved adoption of the following amendment:

On page 4, beginning on line 31 strike everything through line 6 on page 5.

Mr. Locke spoke in favor of the amendment, and Representatives Galloway and Dickie spoke against it.

The amendment was not adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Galloway spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1456, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Miller, Van Dyken, Williams B - 3.

Engrossed Substitute House Bill No. 1456, having received the 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 Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE BILL NO. 1402 was rereferred from Committee on State Government to Committee on Ways & Means.

On motion of Mr. Heck, HOUSE BILL NO. 1700 was rereferred from Committee on Social & Health Services to Committee on Transportation.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-117, by Representatives Heck, L. Smith, J. King, Tanner, Galloway and Sutherland

WHEREAS, Unfair and retaliatory taxing practices are inconsistent with the history of good relations between Washington and Oregon; and

WHEREAS, The State of Oregon recently enacted section 23, chapter 684, Oregon Laws of 1983, the effect of which is to tax Washington residents employed in Oregon at rates based upon their entire taxable income, from whatever source derived; and

WHEREAS, Oregon residents working in Washington are exempted from paying sales taxes to the State of Washington by the use of sales tax exemption cards; and

WHEREAS, The fiscal integrity of each state and the prosperity of the citizens and businesses of Washington and Oregon may be adversely affected by the current system of taxation; and

WHEREAS, These methods of taxation have caused considerable concern and distress among many Washington and Oregon citizens; and

WHEREAS, The current system of taxation has brought to light taxation practices which may require additional scrutiny by the Governors and Legislatures of Washington and Oregon;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the bipartisan leadership of the House of Representatives contact Governor Spellman of Washington, Governor Atiyeh of Oregon, the leadership of the Washington State Senate and the leadership of the Oregon Legislature, and

request that a bipartisan ad hoc committee be formed to examine and evaluate the current system of taxation of Washingtonians by Oregon and Oregonians by Washington as soon as possible; and

BE IT FURTHER RESOLVED, That the ad hoc committee be bipartisan, that persons representing the Governors of Washington and Oregon and both houses of the Washington and Oregon Legislatures be included among its members, and that the committee report its findings to the Governors and Legislatures as soon as is practicable; and

BE IT FURTHER RESOLVED, That as soon as the Speaker of the House of Representatives receives notification that the Governors of Washington and Oregon and bipartisan members of the Washington and Oregon Legislatures will serve on the ad hoc committee, he shall appoint such bipartisan members from the House of Representatives as may be necessary to serve on the committee; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Governor John Spellman of Washington, Governor Victor Atiyeh of Oregon, the President of the Washington State Senate, the President of the Oregon State Senate, the Speaker of the Oregon House of Representatives, and each member of the Oregon State Legislature.

Mr. Heck moved adoption of the resolution.

Mr. Hastings moved adoption of the following amendment to the resolution:
On page 1, following line 14 insert:

"WHEREAS, The adoption of nonuniform and unfair sales tax rates among the several counties of Washington state discriminates only against Washington state citizens and not those of Oregon; and

POINT OF ORDER

Mr. Heck: "Mr. Speaker, I would ask you to rule whether or not this amendment is germane to the resolution."

SPEAKER'S RULING

The Speaker: "The Speaker has examined HFR 84-117 and the floor amendment by Representative Hastings. HFR 84-117 deals with a recently enacted Oregon law and Washington sales tax exemption cards, as these relate to the problem of Washington citizens being taxed in Oregon. The amendment attempts to expand the discussion to include taxes paid by Washington residents in Washington. Therefore, the amendment is clearly not germane to the original proposition of HFR 84-117. Representative Heck, your point of order is well taken."

POINT OF INFORMATION

Mr. Hastings: "This resolution deals with the first word after the first 'Whereas,' the word 'unfair' and that relates to taxing practices, and my amendment talks also about unfair taxing practices that we are aware of in this state, namely the discrimination of the other counties in southwestern Washington. My point of information is that I would like to have the information on how you can say this doesn't relate when both of them are about unfair taxing practices."

The Speaker: "Your interpretation is different than mine. I based mine on the rules--Reed's Rule 160."

Mr. Heck spoke in favor of the resolution.

Mr. Heck demanded an electric roll call vote and the demand was sustained.

POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Heck, there is a certain amount of curiosity on our side of the aisle. You mentioned negotiations; was that a formal conference committee with both sides involved?"

Mr. Heck: "I would suggest that you ask Representative Smith, a member of your own caucus, who participated in those negotiations. Representative Taylor, or you could request the information from Senator Zimmerman, who is also a member of the minority party in the Senate who participated in it."

POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Heck, first of all, I'm going to support this resolution because I, too, am a border county and I have heard from my constituents also regarding the unfairness of the Oregon proposition. I guess the only difference is that my constituents, of course, pay a higher sales tax. Being that as it may, what I want to know from you is that this committee is bipartisan in nature, which I applaud, but is the committee going to be made up equally between the two parties in both houses of this Legislature?"

Mr. Heck: "It's not specified and the authority is vested with the Speaker of the House. The question would be more appropriately put to him."

Representatives Hastings, Vander Stoep and Addison spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Floor Resolution No. 84-117, and the resolution was adopted by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Miller, Van Dyken, Williams B - 3.

MOTION

On motion of Mr. Heck, the House was adjourned until 10:45 a.m., Thursday, January 26, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

EIGHTEENTH DAY
MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 26, 1984

The House was called to order at 10:45 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tiffany Brain and Kevin Spangler. Prayer was offered by The Reverend James Blundell, Minister of St. John's Episcopal Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Heck, the House advanced to the tenth order of business.

JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort Lt. Governor John Cherberg, President Pro Tempore H.A. Barney Goltz, Vice President Pro Tempore A. L. "Slim" Rasmussen, Democratic Majority Leader R. Ted Bottiger and Republican Leader Jeannette Hayner to seats on the rostrum.

The Speaker invited the Senators to seats within the House Chamber.

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

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

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

The President of the Senate appointed Senators Hughes, Newhouse, Thompson and Barr and Representatives L. Smith, Ellis, P. King and Cantu to escort the Supreme Court Justices from the State Reception Room to seats at the front of the House Chamber.

The President of the Senate appointed Senators Bender and Benitz and Representatives Kaiser and Johnson to escort the State Elected Officials to seats within the House Chamber.

The President of the Senate appointed Senators Peterson and Sellar and Representatives Hine and Wilson to escort Governor John Spellman to the rostrum.

The President of the Senate appointed Senators Hansen and Guess and Representatives Fiske and Zellinsky to escort Allan E. Gottlieb, Ambassador of Canada to the United States to the rostrum.

The President of the Senate introduced Governor John Spellman.

Governor Spellman: "Lieutenant Governor Cherberg, Speaker Ehlers, Honorable Justices of the Supreme Court, distinguished elected officials, members of the Legislature, our very welcome and distinguished Canadian guests, ladies and gentlemen: It is my honor and pleasure this morning to introduce to you a distinguished scholar, an accomplished attorney, and a diplomat dedicated to peace and prosperity, the Honorable Allan E. Gottlieb, the Canadian Ambassador to the United States.

"Just as the history and the lives of our two great nations have been intertwined, so too has the life of Ambassador Gottlieb been linked closely to the United States. He is a graduate of the University of California. After receiving advanced degrees as a Rhodes Scholar at Oxford University in England, he returned to the

United States and received his law degree from Harvard University and was honored with the Addison-Browne Prize from its law school.

"He then began a distinguished career as an educator. He served as a lecturer in law at Oxford and as a professor at Queen's University in Ontario and at Ottawa University. His excellence in education has been widely acknowledged. He has received honorary doctoral degrees from the University of Windsor and from New York University. He is a winner of the Deak Prize of the American Society of International Law. He became an Officer of the Order of Canada in 1982.

"Ambassador Gottlieb joined the Department of External Affairs in 1957 and began a distinguished diplomatic career, highlighted by his work in disarmament and international development. He rose to the position of Assistant Under-Secretary of State and became Canada's alternate delegate to the United Nations. He interrupted his service with the Department of External Affairs in 1968 to become Deputy Minister of the then-new Department of Communications. He went on to become Deputy Minister of Manpower and Immigrations and later Chairman-designate of the Canada Employment and Immigration Commission.

"Mr. Gottlieb has additionally distinguished himself as a leader in international trade promotion, serving as Director of the Export Development Corporation and Governor of the International Development Research Centre of Carleton University. He has obviously worked on many things in which we have great interest. In 1977 Ambassador Gottlieb was appointed Under-Secretary of State for External Affairs. In 1981, he served as the personal representative of the Canadian Prime Minister for the Ottawa Summit Economic Conference. In December 1981, he presented his credentials as Canadian Ambassador to the United States to President Reagan.

"Ambassador Gottlieb was born in Winnipeg, Manitoba. He is married to the former Sondra Kaufman, an award-winning novelist, and is the father of three children. He is charming and eloquent; an extraordinary representative of Canada, and he has a clear and firm grasp of the intimate relationship between our two countries.

"It is now my pleasure to present to you a fellow American, the Canadian Ambassador to the United States: The Honorable Allan E. Gottlieb."

ADDRESS BY ALLAN E. GOTTLIEB, AMBASSADOR OF CANADA

Ambassador Gottlieb: "Governor Spellman, Lieutenant Governor Cherberg, Speaker Ehlers, Honorable Members of the Legislature, ladies and gentlemen: It is an honor and a privilege for me to be here with you today and, in particular, to address this distinguished assemblage of representatives of such a beautiful part of America.

"I now readily appreciate why someone once observed that if the Pilgrims had first landed on the Pacific Coast, everything east of the Rockies would probably still be unsettled. It's a view I understand. I come from a part of Canada just north of North Dakota, and I can assure you that up there we often reflect on our forefathers' choice of geography or their desperation--at least in January.

"There are many important similarities between Canada and the State of Washington. Both economies have been hurt by the recession but are recovering. Agriculture, fishing and natural resource industries such as forestry and mining, remain fundamental to us despite the enormous growth in new high tech and service sector industry. Tourism is a major revenue earner for us both. Our populations tend to be concentrated in relatively small areas--yours around Puget Sound, ours in a fairly narrow strip along the border. Your state government, like our federal government, has played an innovative role in social policy. We also share a mutual interest in the health of our natural environment, be it clean air or the preservation of our forests, lakes, rivers and oceans. This is not only because of economic self-interest. Our populations insist that we be able to pass on our magnificent natural heritage to our children and their children.

"I have been Canada's Ambassador to the United States for a little more than two years now. I've found out that the relationship between our two countries is not usually a glamorous subject, but neither are a lot of other important topics. It has so far proven to be a fascinating experience; and I want to share it with you, particularly the part of my experience most relevant to your own activities. Basically, I would like to speak to you about your own political process. I hope you don't think

I'm taking liberties with my status as a foreigner in doing so. It is fundamental and vital to my work as a Canadian Diplomat to understand that although Canadians are foreigners, we are tremendously affected by your political process. This is why my own experience in the United States has been so fascinating.

"There are other reasons, of course. In our world of today surprise has become normal. There are few simple answers to complex and unpredictable world problems. Because you are the world's greatest power, the way in which you do it affects the rest of us. This alone makes for very few dull days in Washington, D.C. No less a factor in the fascination of my assignment, is that there is no other country in the world which is as important to Canada as the U.S.A., and I dare say, vice versa. We have a relationship with the United States which is quite simply unique. We are each other's largest trading partners, who by now, exchange about one hundred billion dollars worth of goods per year. That's far bigger than U.S. trade with Japan or leading European states and as big as your trade with them put together. Trade between Washington and Canada was in the neighborhood of 5.5 billion Canadian dollars in 1982 including gas. That puts Washington close to Japan--our second biggest trading partner. And our two-way trade is growing. Your fruits and vegetables are found throughout Canada; our national and regional airlines fly your aircraft. We have invested tens and tens of billions of dollars in each other's economies and huge capital flows create jobs. Every year some thirty-five million people cross our border, not to mention every form of cultural and human experience which they can carry with them, or which the airwaves do instead. We share a continent--it's defense is a shared military responsibility as well, we hope, as an environmental one.

"We are in sum unlike any other two countries in the world in terms of interchanges between us and the often-easy familiarity with each other's presence. Our political processes are different institutionally, but they are both rooted in our common and complete commitment to democratic values and concepts of human rights which are vastly more than mere platitudes. Obviously all this sharing necessarily means we are likely to have a lot of problems. They go with the territory, so to speak, but the point is that we almost always find ways to work them out. Take the Skagit Valley controversy. There, it's taken us almost fifty years to work out a treaty which in a simple form provides Seattle with electricity and British Columbia with an unflooded valley, but the important story is that we did work it out, and to our mutual satisfaction.

"It is the factor of your political process which makes my assignment here so especially interesting. In terms of working out the problems we are inevitably going to have, the important point to make is that it is becoming harder and harder to do in the traditional ways because of the dynamics of the American political process and the way in which we as a foreign country inevitably get caught up in it. Your system is quite unique. Of course, ours is as well, but ours is probably a lot simpler for a foreign government to cope with, even if we manage to give the impression that everything in Canada is a matter for Federal-Provincial adjudication, foreign relations are at least exclusively in the federal government's jurisdiction. Many foreign representatives to your country are surprised to learn (although they shouldn't be) that the distribution of power in the United States is very dispersed--institutionally and regionally. I have no doubt that in many respects that is exactly what the drafters of your Constitution had in mind when they set out to translate their political principles into a framework for governing this nation, in separating powers between the executive and the legislative branches, and in placing so much emphasis on the rights of states.

"However, most foreign governments find this separation of political power in your system quite different from their own and quite unusual in the world today. Relations between foreign states are generally conducted via interchanges between their respective governments, but maintaining good relations with the United States is not simply a matter of keeping the administration on side. As your history has shown, the White House and State Department are not always the final or only arbiters of American foreign policy. With respect to Canadian interest, they may not even be the dominant ones. It is this which makes life for us complex and sometimes difficult. I note this not as a complaint, but simply as an observation of fact. It is a fact with enormous implications for us and for you. It is unaffected by

whatever particular administration is in power at the time. It is a function of the process. As I say, our own process has its own distinguishing features that can complicate the lives of Americans with interests in Canada. But this problem of access to your process is even greater for a country such as Canada which has such a complex and closely interwoven array of interests here. In fact, our own relationship with the United States is defined on your side not so much as foreign policy, but as an aggregate of a variety of domestic policy decisions and action which may be put into effect by a host of different institutions here at all levels of the governmental system. Congress, for example, has traditionally been vested with considerable powers in the realm of foreign policy formulation, such as the Senate's power to advise and consent to foreign agreements, but the authority of Congress goes into almost all other areas of government policy. What Congress does by way of legislative action has often had a major impact on our interests. Often times there is not specifically anti-Canadian sentiment behind these actions.

"Despite the economic recovery under way here, there remain areas in this country which continue to suffer from the effects of the recession and the process of economic restructuring which is underway, not only here but in Canada as well. The uncertainty and dislocation they entail are debilitating, leading in turn to demands for assistance, intervention or protection. The effect, not unnaturally, is one of regional competition for industries and jobs or the adoption of domestic content or buy-local policies and regulations. The impact is felt in Congress, in state legislatures and in municipal councils. The impact is then felt by your neighbors and then the retaliation starts and there's no way of knowing where it could end.

"In a number of cases, we have had the misfortune of being caught up by legislation which is actually implemented in response to the practices of other countries. In the area of international trade, for example, some of our biggest problems stemmed from American reactions to the practices of Japan or Europe. We were included in a sort of 'side-swipe' effect. Take domestic-content legislation—it is Canada with which you trade the most automobiles. It is a balanced trade, I hasten to emphasize. But we will be included if auto-content legislation now before Congress were to pass.

"In other instances, legislation which is inherently domestic in nature, such as the Clean Air Act, can have an appreciable effect on our interests. The air moves! And some of it rains acid! So how Congress or the administration chooses to redefine that legislation will determine what kind of action can be mounted against the devastating effects of acid rain, one of the most profound environmental problems we both face today, a dreadful phenomenon that afflicts not only our rivers and lakes, but our forest industries on both sides of the border. We welcome your recognition here of the seriousness of this problem.

"The kind of road tax system you put into place will affect the nature of truck transportation between our two counties, a key factor in the trade between us. Changes in your maritime shipping law and the deregulation of your air routes affect our established transportation systems as well as the prosperity and efficiency of your airlines and seaports. These may be, ostensibly, domestic policy issues for you, but their impact on us can be potentially enormous.

"Of course, there is a third kind of legislating affecting our interests, that which is aimed at Canada. There are circumstances in which local and regional protectionist impulses can identify Canadian programs or practices as an adversary and lead to action aimed more directly at us. Economic Recovery is proceeding apace in the U.S., but not every state and industry benefits equally. There are tremendous challenges in the U.S. and in Canada to existing industrial structures and it is only human that when local jobs seem threatened, local political pressures emerge to pressure them in any way possible, even at the expense of legislative trading relationships. Those local pressures are very powerful in your political system because they trade off against support of other issues from other sectors and other regions. A little bit of protection for an industry suffering from the effects of the recession or temporary relief from foreign competition can be and is being sought by interests in many countries and this includes my own. But foreign observers sometimes have the impression that it can be obtained in Congress with relative ease, often obliging an administration veto if one is politically available. A bill may be promoted

by just a handful, maybe even one or two, members of Congress whose constituencies are directly concerned, but support from others in Congress can often swiftly be won if the interests of their constituencies are not affected. Unlike the administration, Congress is not required to balance the different overall foreign policy interest in the U.S. A number of disputes we have recently had with the U.S. arose in this manner. Trucking is one such area of dispute, uranium was another.

"A foreign country up against such dynamics has a problem on its hands, even a country no doubt as beloved as my own. Any fond sentiments in Congress and state legislatures about your friendly neighbors to the north doesn't seem to stack up in the face of domestic pressure to take action which may be inimical to the interest of that very neighbor. We cannot, of course, vote in Congress or in American elections or provide financial support to contenders for political office in the U.S., and when the political chips are down, we, as foreigners, are simply not players. So your legislative system as an institution is not an easy one with which to deal. It is a complex process in which power and influence are widely dispersed. How often do I hear in Washington that it is unpredictable even to its own membership! There is an increasing awareness on the part of foreign governments that the changes in the Congressional system that have taken hold in the last decade or so have far-reaching implications for their interests. Members tell me that one of the most far-reaching reforms of the 1970's resulted in the demise of the old seniority system with its relatively disciplined management--the rise of many committees and subcommittees which now play so central a role in the Congressional legislative process. These changes have been accompanied, as is well known, by a tremendous growth in the ranks of the Congressional bureaucracy of the attendant political lobbies. Again, it is often explained to me in Washington that all of these changes within Congress have served structurally to decentralize the institution's power, making it less easily responsive to more broadly national issues which are secondary, that are beyond those fundamental responsibilities at the top of the agenda. As a foreigner, I couldn't say--but this conclusion does support my theory.

"Canada learned the hard way about the pivotal role which Congress is capable of playing. You may recall that a few years ago the President and Prime Minister appointed special negotiators to prepare a treaty concerning all fisheries and boundary issues on both coasts. The resulting Gulf of Maine Treaty was the product of long and arduous negotiations between the two governments. Each of us gave a little here and there in order to arrive at a balanced and fair agreement. It was a good treaty, an important one. It called, for the first time in our joint history, for the joint management of a common resource. In keeping with the American constitutional doctrine calling for the Senate to advise and consent to international agreements, the treaty was submitted to the Senate for ratification. It never emerged. Two Senators, representing very specific and basically local interest, killed it. More recently, we seem to have run into a similar type of situation (although I hope not) with the Pacific Salmon Treaty, important to the entire west coast for reasons you well understand. Signature and ratification of the Treaty did not take place during 1983 because Canada and the United States were unable to resolve difficulties raised by the State of Alaska prior to the commencement of the 1983 salmon season. However, both sides renewed their commitment to the Pacific Salmon Treaty when your Secretary of State, the Honorable George Schultz, met with our Deputy Prime Minister, Allen MacEachen, in Halifax last fall. Full negotiating sessions to develop the 1984 salmon management plans were held in Vancouver, B.C., last November 1983, and both sides are still negotiating in Seattle today. I can assure you Canada will continue to strive to arrive at a reasonable and equitable arrangement that will enable both countries to protect and develop the valuable Pacific salmon stocks.

"It is not only federal legislative institutions which have an impact on our relations. State and municipal government policies and programs also have to be factored into the equation. The application by state government of unitary tax systems on the operations of multinational corporations, whether domestic or foreign, is one such policy which has attracted the highly-focused attention of a number of foreign governments in the industrialized world, including my own. Local content

regulation governing the procurement policies of state or municipally funded projects is yet another example of the kind of initiative which can adversely affect our bilateral trade in a number of ways.

"Basically, you are often making foreign policy for your country. It is a fascinating fact for foreigners with so much engaged in the matter as we have. Ominous, in a way, not because we don't trust or respect you—we do, enormously—but because we're not sure of the extent to which you factor that foreign consideration into your calculations and because we don't always have a lot of access to you to try to convince you otherwise. I hope you will keep us in mind. We each have a capacity to do each other harm as countries, acting in what seems to me in determined self-interest. But self-interest is usually broader than it is narrow. I am impressed by how keenly this point is recognized in the Evergreen State. Your commitment to a more liberal world trading environment is well-known and appreciated in my country. One of the best kinds of contact I know is that which can take place between the elected representatives of our two countries at the federal and state level. Elected officials have a vast amount in common because you represent people who have a vast amount in common. What we don't have in common are duplicate political processes. We never will since we have different needs, different systems and different constitutions. So it is vital to talk about how one system affects the other's interests.

"It is in this sense I have taken the liberty of talking to you about your own system. I do hope you will accept that I am certainly not criticizing it. It is obviously an intensely democratic and responsive system which has evolved over time to suit the times as you all in this country see them. But its effects can be calibrated some of the time to spare its most disrupting effects on at least one of your friends. In addition, I urge you to know our own system up there. I've spoken to you about the effects of your system on Canadians, but there's a speech to be made, as well, about the effect of our system on Americans. We are your biggest economic partner and I know that your interests can be hurt by what we do. The essential thing for both of us is to think a little more about our interrelationship and what we mean to each other, to mix together a little more and to provide opportunities to talk to each other a little more, as you have so graciously enabled me to do today, and for which I thank you most sincerely. I now understand that there is, indeed, another Washington. Thank you."

Speaker Ehlers presented Ambassador Gottlieb with a book on Mt. St. Helens and Lieutenant Governor Cherberg gave him a certificate making Ambassador Gottlieb an honorary citizen of Washington State.

The President of the Senate instructed the committee to escort Ambassador Gottlieb from the House Chamber.

The President of the Senate instructed the committee to escort the State Elected Officials from the House Chamber.

The President of the Senate instructed the committee to escort the Supreme Court Justices from the House Chambers.

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

MOTION

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

The Speaker instructed the Sergeants at Arms of the Senate and House to escort Lieutenant Governor Cherberg, President Pro Tempore H.A. Barney Goltz, Vice President Pro Tempore A. L. Slim Rasmussen, Democratic Majority Leader, R. Ted Bottiger and Republican Leader Jeannette Hayner to the Senate.

The House resumed its session.

MESSAGE FROM THE SENATE

January 26, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1778,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1778.

MOTION

On motion of Mr. Heck, the House was recessed until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by The Speaker. The Clerk called the roll and all members were present except Representatives Fiske and Hastings, who were excused.

MESSAGES FROM THE SENATE

January 26, 1984

Mr. Speaker:

The President has signed: .

SUBSTITUTE HOUSE BILL NO. 1778,

HOUSE CONCURRENT RESOLUTION NO. 38,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

January 25, 1984

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 3777,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ReESB 3777 by Senators Thompson, Zimmerman and Woody

Permitting occupancy of related persons in a single residence.

Referred to Committee on Local Government.

REPORTS OF STANDING COMMITTEES

January 24, 1984

ESHB 307 Prime Sponsor, Committee on Judiciary: Requiring the department of corrections to give notice to certain people of the disposition of inmates convicted of violent offenses. Reported by Committee on Judiciary

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Passed to Committee on Rules for second reading.

January 23, 1984

SHB 713 Prime Sponsor, Committee on Social & Health Services: Providing procedures for contributions by cities and towns to county or city-county health departments. Reported by Committee on Social & Health Services

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, J. King, Lewis, McClure, Mitchell, Scott, Stratton, Wang, West and B. Williams.

Voting nay: Representative Padden.

Absent: Representatives Broback and Niemi.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1178 Prime Sponsor, Representative Kreidler: Regulating health and health-related professions and businesses. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, J. King, Lewis, McClure, Mitchell, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representatives Broback and Niemi.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1197 Prime Sponsor, Representative Sommers: Providing mechanisms for cooperation among postsecondary institutions. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, Fiske, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Sutherland, Tanner and Vander Stoep.

Voting nay: Representative Crane.

Absent: Representative Struthers.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1270 Prime Sponsor, Representative Todd: Revising mobile home landlord-tenant act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1279 Prime Sponsor, Representative Niemi: Exempting the state convention and trade center from civil service. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, O'Brien, Sayan, Silver, Walk and J. Williams.

Voting nay: Representative D. Nelson.

Absent: Representatives Bond, Silver, Taylor and J. Williams.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1294 Prime Sponsor, Representative Vekich: Modifying the state employee incentive pay program. Reported by Committee on Rules

Referred from Rules to Committee on Ways & Means.

January 26, 1984

HB 1326 Prime Sponsor, Representative Vekich: Modifying the employee suggestion program. Reported by Committee on Rules

Referred from Rules to Committee on Ways & Means.

January 24, 1984

HB 1328 Prime Sponsor, Representative Kreidler: Revising provisions relating to the abuse of elderly and dependent adults. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

On page 10, after line 23 insert the following:

"NEW SECTION, Sec. 16. Section 9 of this act shall take effect on July 1, 1985."

Renumber the remaining sections accordingly.

On page 1, line 13 of the title after "RCW 26.44.070;" strike "and"

On page 1, line 13 of the title after "Title 74 RCW" insert "; and providing an effective date"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1334 Prime Sponsor, Representative Powers: Waiving community college fees for certain unemployed persons. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Barnes, Crane, Fiske, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Sutherland, Tanner and Vander Stoep.

Absent: Representatives Allen, Fiske, Struthers and Tanner.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1360 Prime Sponsor, Representative Jacobsen: Authorizing self-sustaining programs at the University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Barnes, Brough, Crane, Fiske, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Sutherland, Tanner and Vander Stoep.

Absent: Representatives Allen, Fiske and Struthers.

Passed to Committee on Rules for second reading.

January 23, 1984

HB 1390 Prime Sponsor, Representative Van Luven: Granting disabled persons from other states having special license plates the same parking privileges as disabled persons in this state. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Locke and Schmidt.

Passed to Committee on Rules for second reading.

January 25, 1984

HB 1423 Prime Sponsor, Representative Sanders: Prohibiting requirement for over-insuring property. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do Pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Monohon, Sanders, Vekich, Wang and West.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1600 Prime Sponsor, Representative Brekke: Revising provisions relating to the veterans' home and the soldiers' home. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Rereferred to Committee on Ways & Means.

January 24, 1984

HB 1613 Prime Sponsor, Representative Powers: Creating the Washington award for vocational excellence program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Barnes, Brough, Crane, Fiske, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Sutherland, Tanner and Vander Stoep.

Absent: Representatives Allen, Fiske and Struthers.

Passed to Committee on Rules for second reading.

January 24, 1984

HB 1698 Prime Sponsor, Representative Zellinsky: Delaying the requirement of replacing five-year old license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Betrozoff, Egger, McMullen and Van Luven.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 1193, by Representatives Haugen, Barrett, Powers, Silver, Ellis, Jacobsen, Moon, Brough, Van Luven, Schoon, Braddock, Fisch, Johnson, J. King, Mitchell, Sanders, Sutherland, Van Dyken, Wang, B. Williams, J. Williams, Wilson, P. King, Hine, Stratton, Clayton, Todd, Miller and Tanner

Creating the state advisory council on international trade development.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 1193 was substituted for House Bill No. 1193, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1193 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1204, by Representatives Jacobsen, Powers, Tanner, Niemi, Schoon, Braddock, Vander Stoep, Brough, J. King, McMullen, Sayan, Van Dyken, Wang, P. King, Hine and O'Brien

Authorizing port district sponsored export projects.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 1204 was substituted for House Bill No. 1204, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1204 was read the second time.

The Clerk read the following amendment by Representative Silver:
On page 5, following line 19 insert:

"(4) The board of the export corporation shall implement a plan for the sale of the corporation to a private person or persons at the highest price obtainable six years from formation of the corporation, which sale must be concluded no later than eight years from formation. The proceeds of the sale shall be paid to the port district which formed the export corporation."

With the consent of the House, Ms. Silver withdrew the amendment.

Ms. Silver moved adoption of the following amendment:

On page 6, line 27 following "port district to" strike "an export corporation" and insert "export corporations"

Ms. Silver spoke in favor of the amendment, and Ms. Niemi spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to Substitute House Bill No. 1204, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fuhrman, Garrett, Hankins, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Fiske, Hastings - 2.

Substitute House Bill No. 1204 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1205, by Representatives Appelwick, Barrett, Powers, Silver, Ellis, Brough, McClure, Sommers, Brekke, Sayan, Braddock, Smitherman, Ebersole, Fisher, Johnson, Tanner, Van Dyken, B. Williams, J. Williams, Wilson, Van Luven, Hine, Kaiser, Niemi, Schoon, Stratton, Todd, Miller and Halsan

Establishing a provisional center for international trade in forest products.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 1205 was substituted for House Bill No. 1205, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1205 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1207, by Representatives Ellis, Silver, Braddock, Barrett, Dellwo, J. King, Brough, Haugen, Johnson, R. King, Sayan, Tilly, Van Dyken, West, B. Williams, J. Williams, Wilson, Ballard, Hine, Kaiser, Stratton, Clayton, Todd, Miller and Powers

Establishing a provisional international marketing program for agricultural commodities and trade.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 1207 was substituted for House Bill No. 1207, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1207 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1147, by Representatives Haugen, McMullen, McClure, Fisch, Smitherman, Jacobsen, Zellinsky, Schmidt, Fiske, Wilson, Powers, Fisher, Tanner, J. Williams and P. King

Authorizing bed and breakfast facilities to serve beer or wine.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1254, by Representatives Monohon, Barnes, Ebersole, Powers, Todd and Sayan

Defining earnable compensation for part-time teachers' retirement.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1413, by Representatives Walk and Egger

Revising regulation of railroads.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1106, by Representatives Halsan, Appelwick, Tilly, P. King, Crane, Schmidt, Wang, Cantu, Locke, West, Betrozoff, Broback, Brough, Charnley, Ebersole, Padden, Patrick, Sanders, Silver, Tanner, Walk, Stratton, Barrett, Ballard, Hine, Schoon, Clayton, Todd, Miller, L. Smith and Powers

Creating the crime of computer trespass.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 1106 was substituted for House Bill No. 1106, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1106 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1190, by Representatives Grimm and Cantu (by Office of Financial Management request)

Authorizing the issuance of general obligation bonds for the department of corrections.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment see Journal, 16th Day, January 24, 1984.)

On motion of Mr. Braddock, the committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1195, by Representatives Braddock, Cantu, Betrozoff, Galloway, Johnson, Lewis, Tanner, West, Wilson, Van Luven, Hine, Clayton, Schoon and Miller (by Office of Financial Management request)

Authorizing the issuance of bonds for the community college system.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1304, by Representatives Smitherman, Heck and Barnes

Defining teachers eligible under the teachers' retirement system.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 16th Day, January 24, 1984.)

On motion of Mr. Smitherman, the committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1119, by Representatives Walk, Sayan and Todd

Clarifying provisions of emergency purchases by state agencies.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1105, by Representatives Ebersole, Kreidler, Dellwo, Miller, Braddock, Stratton, Crane and Fisch

Requiring the reporting of sentinel birth defects and the surveillance of environmental hazards.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1105 was substituted for House Bill No. 1105, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1105 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 857, by Representatives D. Nelson, Isaacson, Gallagher, Todd and West

Seeking to prevent damage to underground utilities caused by construction.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 857 was substituted for House Bill No. 857, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 857 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1127, by Representatives Hine, Brough, Ballard and Clayton

Providing a means to transfer sewer or water system operations from a county to a sewer or water district.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1127 was substituted for House Bill No. 1127, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1127 was read the second time and passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE CONCURRENT RESOLUTION NO. 39 was rereferred from Committee on Rules to Committee on Local Government.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-110, by Representatives O'Brien, Niemi, Charnley, Locke, Armstrong, D. Nelson, Wang, Burns, Addison, Sommers, Lux, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, G. Nelson, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Plans are underway at Pacific Science Center to prepare for one of the most spectacular exhibitions ever mounted on the West Coast--China: 7,000 Years of Discovery; and

WHEREAS, China: 7,000 Years of Discovery will be on exhibition at the Pacific Science Center, Seattle Center Grounds, from March 1 through August 31, 1984, a major tourist attraction that will attract thousands of people who will witness active demonstrations of ancient and present scientific programs; and

WHEREAS, The Pacific Science Center has West Coast exclusivity to host this major show featuring over 300 artifacts; and

WHEREAS, Eighteen Chinese artisans will have individual areas on the exhibit floor where they will demonstrate their skills in silk brocade, weaving,

papermaking, calligraphy, seal carving, wood block carving and printing, double-sided embroidery, bronze casting, woodworking, ink rubbing, kite making, batik making, dough doll making and pottery making and decorating; and

WHEREAS, Over three hundred artifacts will be displayed in thirteen categories including astronomy, magnetism and exploration, gunpowder, bronze casting, paper making, printing, mechanics, silk weaving, architecture, ceramics, medicine, silk embroidery and traditional handicrafts; and

WHEREAS, Chinese civilization developed in almost complete isolation from the rest of the world throughout history. As this exhibition makes clear, the Chinese discovered many of the inventions that are credited to western civilization; and

WHEREAS, This exhibition will show that the Chinese have placed great emphasis on the concept of balance in all aspects of life, which is particularly evident in the field of medicine where several aspects of health maintenance are emphasized such as hygiene, nutrition, stress and exercise;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington urge the people of our state and their friends throughout the United States to attend this outstanding exhibit of worldwide interest and significance and commend the Pacific Science Center for the planning involved with this unique and wonderful exhibit; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to officials of the Pacific Science Center, to the officials of the Chinese-American Community and to the Chinese delegates of the People's Republic of China by the Chief Clerk of the House of Representatives.

On motion of Mr. O'Brien, the resolution was adopted.

MOTION

On motion of Mr. Heck, the House was adjourned until 1:00 p.m., Friday, January 27, 1984.

DEAN R. FOSTER, Chief Clerk

WAYNE EHLERS, Speaker

NINETEENTH DAY**AFTERNOON SESSION**

House Chamber, Olympia, Wash., Friday, January 27, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Bond, G. Nelson, Padden and Schmidt, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kecia Cossett and Mark Milner. Prayer was offered by The Reverend James Blundell, Minister of St. John's Episcopal Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 25, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3059,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ESB 3059 by Senators Lee, Woody and McManus

Providing for pets in nursing homes and public housing for the elderly.

Referred to Committee on Social & Health Services

REPORTS OF STANDING COMMITTEES

January 26, 1984

HB 1177 Prime Sponsor, Representative Kreidler: Authorizing preferred provider arrangements for health insurance. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Scott, Stratton, West and B. Williams.

Absent: Representatives J. King, Scott and Wang.

Passed to Committee on Rules for second reading.

January 25, 1984

HB 1227 Prime Sponsor, Representative Jacobsen: Providing for management of state park land. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Patrick, Pruitt and J. Williams.

Absent: Representatives Lux and Van Dyken.

Passed to Committee on Rules for second reading.

January 25, 1984

HB 1285 Prime Sponsor, Representative Smitherman: Revising provisions relating to agency goals and objectives. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Brekke, Cantu, Ellis, Fiske,

Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Absent: Representatives Addison, Appelwick, Bond, Hastings, Monohon, G. Nelson, Struthers, Taylor and Tilly.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1396 Prime Sponsor, Representative Locke: Authorizing the state treasurer to appoint a designee to the state investment board. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Johnson, Kaiser, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representatives Bond and R. King.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1404 Prime Sponsor, Representative Smitherman: Contracting for fire protection services. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Brough, Charnley, Ebersole, Egger, Garrett, Grimm, Hine and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Broback, Chandler and Isaacson.

Voting nay: Representatives Ballard, Broback, Chandler, Garrett, Isaacson and Van Dyken.

Absent: Representatives Todd and Van Luven.

Passed to Committee on Rules for second reading.

January 25, 1984

HB 1418 Prime Sponsor, Representative Lux: Prohibiting discriminatory practices by health maintenance organizations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Monohon, Sanders, Vekich, Wang and West.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1509 Prime Sponsor, Representative Tanner: Authorizing a county tax on nonresidents of the state employed in the county. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman and Todd.

Voting nay: Representative Van Dyken.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1526 Prime Sponsor, Representative Scott: Modifying child placement and review hearings. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Scott, Stratton, West and B. Williams.

Absent: Representatives J. King, Niemi, Padden and Wang.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1529 Prime Sponsor, Representative Pruitt: Reenacting the law regulating exit polling. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Patrick, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1562 Prime Sponsor, Representative Kreidler: Modifying provisions relating to collection of child support assigned to the department of social and health services. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Scott, Stratton, West and B. Williams.

Absent: Representatives J. King, Niemi, Padden and Wang.

Passed to Committee on Rules for second reading.

January 25, 1984

HB 1564 Prime Sponsor, Representative Kreidler: Regulating a continuation and conversion of insurance coverage. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Monohon, Sanders, Vekich, Wang and West.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1566 Prime Sponsor, Representative Prince: Establishing a loan forgiveness program for medical students who, when licensed, practice in medically deficient areas. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, Crane, Fiske, R. King, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Struthers, Sutherland and Vander Stoep.

Absent: Representatives Locke, McMullen and Tanner.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1635 Prime Sponsor, Representative Kreidler: Modifying methods of determining costs of operating state institutions. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Scott, Stratton, West and B. Williams.

Absent: Representatives J. King, Niemi, Padden and Wang.

Passed to Committee on Rules for second reading.

January 25, 1984

HB 1636 Prime Sponsor, Representative J. King: Establishing a strategic economic development commission. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 8 after "immediately," insert the following new section:
 "NEW SECTION, Sec. 12. This chapter shall terminate on March 30, 1986."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Absent: Representatives Addison, Appelwick, Bond, Hastings, Kreidler, Monohon, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

January 25, 1984

HB 1691 Prime Sponsor, Representative Ellis: Authorizing tax credits for seed capital investments. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Commerce and Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Absent: Representatives Addison, Appelwick, Bond, Hastings, Kreidler, Monohon, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

January 25, 1984

ESSB 3074 Prime Sponsor, Committee on Social & Health Services: Requiring licensure of occupational therapists. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Heck, Hine, J. King, Kreidler, McClure, G. Nelson, Rust, Sanders, Sayan, Taylor, Tilly and Vander Stoep.

Absent: Representatives Hastings, G. Nelson, Struthers, Taylor and Tilly.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

SPEAKER'S PRIVILEGE

The Speaker recognized within the House Chamber, Coach Marv Harshman of the University of Washington Huskies Basketball team, and appointed Representatives Mitchell, Broback, Tilly, Charnley, Burns, Allen, Jacobsen and Niemi to escort him to the rostrum.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-119, by Representatives Mitchell, Tilly, Brough, Wilson, O'Brien, G. Nelson, Schoon, Betrozoff, Vekich, Broback, Ballard, Cantu, Clayton, Barrett, Hastings, Schmidt, Dickie, Miller, P. King, McMullen, Hankins, Ebersole, Hine, Garrett, Niemi, Rust, Haugen, Wang, McClure, Brekke, Taylor, Belcher, Burns, Scott, Patrick, Dellwo, Zellinsky, Tanner, Sayan, Vander Stoep, Crane, Holland, Appelwick, J. Williams, Chandler, Isaacson, Nealey, Long, Kreidler, Barnes, Sanders, Halsan, C. Smith, Charnley, Lewis, Jacobsen, Van Luven, Addison, Allen, Armstrong, Bond, Braddock, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Heck, Johnson, Kaiser, J. King, R. King, Locke, Lux, Monohon, Moon, D. Nelson, Padden, Powers, Prince, Pruitt, Silver, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Todd, Van Dyken, Walk, West, B. Williams

WHEREAS, Marv Harshman, the coach of the University of Washington Huskies Basketball team, was raised in the cozy little community of Lake Stevens, Washington; and

WHEREAS, Coach Harshman was a standout athlete at Lake Stevens High School and Pacific Lutheran University; and

WHEREAS, Coach Harshman has built successful basketball programs at three of our state's major universities (PLU, WSU, and UW); and

WHEREAS, His hard-nosed way of coaching his athletes to play to their potential and take pride in their abilities is respected by former players and fans alike; and

WHEREAS, Coach Harshman works hard to help his ballplayers make a life for themselves after they have graduated and their basketball careers are over; and

WHEREAS, Coach Harshman has been actively involved with several charitable organizations, including Boys' Clubs and the talking books for the blind; and

WHEREAS, Coach Harshman has been a member of the University of Washington Lion's Club for the last thirteen years; and

WHEREAS, Coach Harshman, in his 39th year of coaching, notched his 600th career victory as a head coach on December 19, 1983; and

WHEREAS, Coach Harshman is the second winningest active coach in college basketball today; and

WHEREAS, The 1984 Husky basketball team is off to its finest start in many years; and

WHEREAS, The Huskies are presently in first place in Pac 10 Conference play; and

WHEREAS, The Seattle Kingdome is the site of the finals of the 1984 NCAA Collegiate Basketball Tournament;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Marvelous Marv Harshman's ability to teach the skills necessary to excel on the basketball court and in life's other endeavors; and

BE IT FURTHER RESOLVED, That this House extend its best wishes to the 1984 Huskies, in hopes that they will be inspired to give the fans in Washington a hometown favorite to cheer during the NCAA tournament this spring; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Coach Harshman's wife Dorothy and his three sons; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to William Gerberding, President of the University of Washington; and

BE IT FURTHER RESOLVED, That Coach Harshman find a special place in Huskyland for the basketball we are presenting him today; and

BE IT FURTHER RESOLVED, That Coach Harshman give serious thought to becoming a legislator after his coaching days are over.

Mr. Mitchell moved adoption of the resolution. Representatives Mitchell, Tilly, Patrick, Taylor and Broback spoke in favor of the resolution, and it was adopted.

The Speaker presented the resolution to Coach Harshman and also presented him with a Proclamation from the Governor.

Coach Harshman briefly addressed the House.

Representative Mitchell presented Coash Harshman with a basketball signed by all members of the House of Representatives.

The Speaker requested the committee to escort Coach Harshman from the House Chambers.

MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1193, by Committee on Commerce & Economic Development (originally sponsored by Representatives Haugen, Barrett, Powers, Silver, Ellis, Jacobsen, Moon, Brough, Van Luven, Schoon, Braddock, Fisch, Johnson, J. King, Mitchell, Sanders, Sutherland, Van Dyken, Wang, B. Williams, J. Williams, Wilson, P. King, Hine, Stratton, Clayton, Todd, Miller and Tanner)

Creating the state advisory council on international trade development.

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

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1193, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Barrett, Bond, Nelson G, Padden, Schmidt - 5.

Substitute House Bill No. 1193, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Ballard was excused.

SUBSTITUTE HOUSE BILL NO. 1204, by Committee on Commerce & Economic Development (originally sponsored by Representatives Jacobsen, Powers, Tanner, Niemi, Schoon, Braddock, Vander Stoep, Brough, J. King, McMullen, Sayan, Van Dyken, Wang, P. King, Hine and O'Brien)

Authorizing port district sponsored export projects.

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

Representatives Jacobsen and Silver spoke in favor of passage of the bill, and Mr. Holland spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1204, and the bill passed the House by the following vote: Yeas, 89; nays, 3; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Holland, Sanders, Williams J - 3.

Excused: Representatives Ballard, Barrett, Bond, Nelson G, Padden, Schmidt - 6.

Substitute House Bill No. 1204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1205, by Committee on Commerce & Economic Development (originally sponsored by Representatives Appelwick, Barrett, Powers, Silver, Ellis, Brough, McClure, Sommers, Brække, Sayan, Braddock, Smitherman, Ebersole, Fisher, Johnson, Tanner, Van Dyken, B. Williams, J. Williams, Wilson, Van Luven, Hine, Kaiser, Niemi, Schoon, Stratton, Todd, Miller and Halsan)

Establishing a provisional center for international trade in forest products.

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

Representatives Appelwick and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1205, and the bill passed the House by the following vote: Yeas, 92; nays, 0; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Ballard, Barrett, Bond, Nelson G, Padden, Schmidt - 6.

Substitute House Bill No. 1205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1207, by Committee on Commerce & Economic Development (originally sponsored by Representatives Ellis, Silver, Braddock, Barrett, Dellwo, J. King, Brough, Haugen, Johnson, R. King, Sayan, Tilly, Van Dyken, West, B. Williams, J. Williams, Wilson, Ballard, Hine, Kaiser, Stratton, Clayton, Todd, Miller and Powers)

Establishing a provisional international marketing program for agricultural commodities and trade.

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

Representatives Ellis, Braddock and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1207, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent, 1; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Absent: Representative West - 1.

Excused: Representatives Ballard, Barrett, Bond, Nelson G, Padden, Schmidt - 6.

Substitute House Bill No. 1207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Braddock was excused.

HOUSE JOINT MEMORIAL NO. 42, by Representatives R. King and Wang

Requesting the establishment of a National Academy of Peace and Conflict Resolution.

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

Representatives R. King, Lewis, Wang and Van Dyken spoke in favor of passage of the memorial, and Representatives Barnes and B. Williams spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 42, and the memorial passed the House by the following vote: Yeas, 63; nays, 28; excused, 7.

Voting yea: Representatives Addison, Appelwick, Armstrong, Belcher, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Allen, Barnes, Betrozoff, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Miller, Nealey, Patrick, Prince, Schoon, Smith C, Smith L, Struthers, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 28.

Excused: Representatives Ballard, Barrett, Bond, Braddock, Nelson G, Padden, Schmidt - 7.

House Joint Memorial No. 42, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1181, by Committee on Higher Education (originally sponsored by Representatives Tanner and Addison)

Authorizing the selection of ten students to attend a compact-authorized program in osteopathic medicine.

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

Representatives Tanner and Addison spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1181, and the bill passed the House by the following vote: Yeas, 85; nays, 6; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Betrozoff, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Belcher, Brough, Jacobsen, Locke, Moon, Rust - 6.

Excused: Representatives Ballard, Barrett, Bond, Braddock, Nelson G, Padden, Schmidt - 7.

Substitute House Bill No. 1181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1147, by Representatives Haugen, McMullen, McClure, Fisch, Smitherman, Jacobsen, Zellinsky, Schmidt, Fiske, Wilson, Powers, Fisher, Tanner, J. Williams and P. King

Authorizing bed and breakfast facilities to serve beer or wine.

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

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1147, and the bill passed the House by the following vote: Yeas, 91; nays, 0; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Excused: Representatives Ballard, Barrett, Bond, Braddock, Nelson G, Padden, Schmidt - 7.

House Bill No. 1147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1106, by Committee on Judiciary (originally sponsored by Representatives Halsan, Appelwick, Tilly, P. King, Crane, Schmidt, Wang, Cantu, Locke, West, Betzoff, Broback, Brough, Charnley, Ebersole, Padden, Patrick, Sanders, Silver, Tanner, Walk, Stratton, Barrett, Ballard, Hine, Schoon, Clayton, Todd, Miller, L. Smith and Powers)

Creating the crime of computer trespass.

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

Mr. Halsan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1106, and the bill passed the House by the following vote: Yeas, 90; nays, 1; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representative Vekich - 1.

Excused: Representatives Ballard, Barrett, Bond, Braddock, Nelson G, Padden, Schmidt - 7.

Substitute House Bill No. 1106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Allen was excused.

SUBSTITUTE HOUSE BILL NO. 1127, by Committee on Local Government (originally sponsored by Representatives Hine, Brough, Ballard and Clayton)

Providing a means to transfer sewer or water system operations from a county to a sewer or water district.

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

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1127, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders,

Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Nelson G, Padden, Schmidt - 8.

Substitute House Bill No. 1127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1105, by Committee on Social & Health Services (originally sponsored by Representatives Ebersole, Kreidler, Dellwo, Miller, Braddock, Stratton, Crane and Fisch)

Requiring the reporting of sentinel birth defects and the surveillance of environmental hazards.

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

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betrozoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Nelson G, Padden, Schmidt - 8.

Substitute House Bill No. 1105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Miller was excused.

HOUSE BILL NO. 1119, by Representatives Walk, Sayan and Todd

Clarifying provisions of emergency purchases by state agencies.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1119, and the bill passed the House by the following vote: Yeas, 89; nays, 0; excused, 9.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betrozoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Miller, Nelson G, Padden, Schmidt - 9.

House Bill No. 1119, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 857, by Committee on Energy & Utilities (originally sponsored by Representatives D. Nelson, Isaacson, Gallagher, Todd and West)

Defining responsibility for protection of underground utility facilities during excavation.

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

Representatives D. Nelson, Isaacson and Broback spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 857, and the bill passed the House by the following vote: Yeas, 81; nays, 8; excused, 9.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Fuhrman, Hastings, Long, Mitchell, Nealey, Powers, West, Wilson - 8.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Miller, Nelson G, Padden, Schmidt - 9.

Substitute House Bill No. 857, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative G. Nelson appeared at the bar of the House.

HOUSE BILL NO. 1254, by Representatives Monohon, Barnes, Ebersole, Powers, Todd and Sayan

Defining earnable compensation for part-time teachers' retirement.

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

Representatives Monohon and Cantu spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Monohon, in the billbook there is no fiscal note. For a year, what would the dollar addition be?"

Ms. Monohon: "There is a fiscal note from Jerry Allard, who is the State Actuary. The additional cost of the system is \$44,100 per person for each of the thirty-five individuals who have been identified. The last two sentences on Mr. Allard's memorandum says: 'Although there is an increased cost for each person who does utilize these provisions, I would estimate there would be less than half dozen individuals in each year who would do so, thus the additional cost to the retirement system would be insufficient to affect contribution rates.'"

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1254, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Miller, Padden, Schmidt - 8.

House Bill No. 1254, having received the 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1138, by Representatives Ebersole, Rust, Allen, Brekke, Burns, Brough, Charnley, Crane, Fisher, Galloway, Wang, Kaiser, Lux, Nealey, Todd and Miller

Requiring comprehensive plans to provide for protection of ground water.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1138, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Miller, Padden, Schmidt - 8.

House Bill No. 1138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1164, by Representatives Heck, Sutherland, Allen, Rust, Dellwo, J. King, Tanner and D. Nelson

Revising solid waste management procedures.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1164 was substituted for House Bill No. 1164, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1164 was read the second time.

Ms. Hankins moved adoption of the following amendment:

On page 7, line 6 after "plan," insert "Each application for renewal shall contain a one page statement by the applicant which outlines the actions taken to comply with the approved solid waste management plan."

Ms. Hankins spoke in favor of the amendment and Ms. Rust spoke against it.

Ms. Hankins spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hankins to Substitute House Bill No. 1164, and the amendment was not adopted by the following vote: Yeas, 40; nays, 50; excused, 8.

Voting yea: Representatives Addison, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan,

Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Miller, Padden, Schmidt - 8.

Substitute House Bill No. 1164 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1194, by Representatives Braddock and Cantu (by Office of Financial Management request)

Authorizing the issuance of bonds for the department of social and health services.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass with the following amendment:

On page 1, line 11 after "hundred" strike "twenty-six"

On motion of Ms. Monohon, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Monohon and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1194, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Miller, Padden, Schmidt - 8.

Engrossed House Bill No. 1194, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1268, by Representatives Hine, Holland, Tanner, Schoon, Barnes, Sayan, Johnson, Wang, Miller, Galloway and Todd (by Governor Spellman and Superintendent of Public Instruction request)

Authorizing the issuance of bonds for common school plant facilities.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 1268 was substituted for House Bill No. 1268, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1268 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1268, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell,

Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Allen, Ballard, Barrett, Bond, Braddock, Miller, Padden, Schmidt - 8.

Substitute House Bill No. 1268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1149, by Representatives Monohon, Barrett, Fisch, Lewis, McClure, Vekich, Sayan, Struthers, Brough, R. King, McMullen, Padden, Tanner, Holland, Todd and Powers

Authorizing certain members of affiliated organizations and their auxiliaries to assist other chapters or units with gambling activities.

The bill was read the second time.

On motion of Mr. Tilly, the following amendment by Representatives Tilly and Monohon was adopted:

On page 12, following line 33 insert:

"Bona fide charitable or nonprofit organizations holding a license to conduct a fund raising event may join together to jointly conduct a fund raising event if:

(1) Approval to do so is received from the commission and

(2) The method of dividing the income and expenditures and the method of recording and handling of funds are disclosed to the commission in the application for approval of the joint fund raising event and are approved by the commission.

The limit for net receipts for a fund raising event stated in this subsection shall apply to a joint fund raising event. The net receipts each organization receives shall count against the organization's annual limit stated in this subsection.

A joint fund raising event shall count against only the lead organization or organizations receiving fifty percent or more of the net receipts for the purposes of the number of such events an organization may conduct each year.

The commission may issue a joint license for a joint fund raising event and charge a license fee for such license according to a schedule of fees adopted by the commission which reflects the added cost to the commission of licensing more than one licensee for the event."

House Bill No. 1149 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 25, 1984

HB 1183 Prime Sponsor, Representative Sommers: Changing collection and distribution procedures for certain court fees, fines, and forfeitures. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Kridler, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly, and Vander Stoep.

Absent: Representatives Appelwick, Hastings, G. Nelson, Struthers, Taylor and Tilly.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1355 Prime Sponsor, Representative Niemi: Authorizing voluntary payroll deduction for political action committees by state employees. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 17 after "programs" strike ", including voluntary deductions for political action committees sponsored by the organization" and insert the following new subsection:

"(7) Voluntary deductions for political action committees sponsored by labor or employee organizations with five hundred or more members employed in state governments."

On page 2, line 20 strike "(7)" and insert "(((7))) (8)"

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Hankins, Nealey, Silver, Taylor and J. Williams.

Absent: Representative Johnson.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1369 Prime Sponsor, Representative O'Brien: Creating a state medal of merit.
Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 15 after the period insert "The secretary of state shall serve as a nonvoting ex-officio member, and shall serve as secretary to the committee."

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representatives Bond, Johnson and R. King.

Passed to Committee on Rules for second reading.

POINT OF PERSONAL PRIVILEGE

Mr. Prince: "I would like to bring the members' attention to the bags on our desks furnished by the Pea and Lentil Producers in the states of Idaho and Washington. Even though it's a food that was used in the time of Abraham, it is really a relatively unknown food to a lot of people. This bag of lentils signifies the efforts of producers in my locality to try and increase the knowledge of availability of this type of food and its quality. The lentils that you had for lunch have a story connected with them that we, in this body, should be aware of.

"Some seven years ago, Canada hired away from us one of our scientists from our research station at WSU. They gave him a half million dollars and told him to develop the lentil industry in Canada. Canada, at that time, was not producing a single pound of lentils. Today they are outproducing the United States. Five years ago we put up part of \$25 million to start a research station in Syria. Most of that money was put up by the United States Government. Turnkey was able, through that research, to double their production and we lost several major countries as outlets for our own lentils. It points up the need to maintain a strong research program in our food products if we are going to stay viable in the world market. There is some \$39 million of crops in the lentil production here within this state and it's important to our economy.

"I could mention a couple of other things about lentils. They are an extremely high protein food—some twenty-five percent protein. I think the thing the body should be most aware of is that the producers of that product today donated to Second Harvest some 41,000 pounds of peas and lentils to be used by the needy families in Seattle and Spokane. For this I think this body should congratulate those people."

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Monday, January 30, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, January 30, 1984

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Bond, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carol Cockrill and Signe Madson. Prayer was offered by The Reverend David Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 27, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3133,
 ENGROSSED SENATE BILL NO. 3262,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3622,
 REENGROSSED SUBSTITUTE SENATE BILL NO. 3814,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 112,
 SENATE JOINT MEMORIAL NO. 121,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

ESSB 3133 by Committee on Transportation (originally sponsored by Senators Peterson, Guess and Vognild)

Modifying provisions relating to pilotage and pilot liability.

Referred to Committee on Transportation

ESB 3262 by Senator McDermott (by Department of Revenue request)

Modifying provisions on property taxation.

Referred to Committee on Ways & Means

ESSB 3622 by Committee on State Government (originally sponsored by Senators Shinpoch, Jones, Fleming, Bottiger, Sellar, Hayner and Clarke)

Creating the legislative facilities committee to provide legislative control over legislative buildings.

Referred to Committee on State Government

reESSB 3814 by Committee on Ways & Means (originally sponsored by Senators McDermott, Warnke, Rasmussen, Bauer, Gaspard, Woody, McManus, Bottiger, Moore and Wojahn)

Modifying provisions relating to the state lottery.

Referred to Committee on Commerce & Economic Development

SSJM 112 by Committee on Commerce & Labor (originally sponsored by Senators Quigg, McManus, Bluechel, Barr, Sellar, Fuller, Metcalf, Hemstad, Bottiger and Moore)

Requesting the mutual bilateral elimination of trade barriers with China.

Referred to Committee on Commerce & Economic Development

SJM 121 by Senator Metcalf

Urging the President and Congress to repeal the Federal Reserve Act.

Referred to Committee on Financial Institutions & Insurance

REPORTS OF STANDING COMMITTEES

January 27, 1984

SHB 689 Prime Sponsor, Committee on Commerce & Economic Development: Establishing the small business assistance coordinating council. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk, B. Williams and Wilson.

Absent: Representatives Tanner, Vice Chair; Barrett, Ebersole, Ellis, Holland, Kaiser, Niemi, Padden, Tilly and Walk.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 761 Prime Sponsor, Representative Pruitt: Extending voter registration to ten days before the election. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Schoon, Scott, Sommers and Zellinsky.

Absent: Representatives Patrick and Vander Stoep.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1151 Prime Sponsor, Representative Appelwick: Modifying the regulation of fireworks. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tanner, Vice Chair; Appelwick, Braddock, Brough, Ebersole, Haugen, Holland, Kaiser, Niemi, Powers, Smitherman, Stratton, Van Dyken and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives J. King, Chair; Ellis, Halsan, Schmidt, Schoon, Silver, L. Smith, B. Williams and Wilson.

Voting nay: Representatives J. King, Chair; Ellis, Halsan, Schmidt, Schoon, Silver, L. Smith, Tilly, B. Williams and Wilson.

Absent: Representatives Barrett and Padden.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1163 Prime Sponsor, Representative Lux: Prohibiting consumer credit charges on new transactions before the next billing cycle. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Sanders, Wang and West.

Absent: Representatives Monohon and Vekich.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1165 Prime Sponsor, Representative Haugen: Restricting bottom trawling for food fish in certain areas of Puget Sound. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Fiske, Haugen, Isaacson, Johnson, Miller, Mitchell, Sanders, Sommers, Tanner, Vekich, B. Williams and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher and McClure.

Voting nay: Representatives Belcher, McClure and McMullen.

Absent: Representatives Fuhrman, P. King and L. Smith.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1172 Prime Sponsor, Representative Rust: Establishing state policy regarding management and use of the Milwaukee Road corridor. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Lux, Patrick, Pruitt and Van Dyken.

Voting nay: Representatives Clayton, Hankins, Lewis and J. Williams.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1174 Prime Sponsor, Representative Rust: Regulating acid deposition pollution. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Lux and Pruitt.

Voting nay: Representatives Clayton, Hankins, Lewis, Patrick, Van Dyken and J. Williams.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1176 Prime Sponsor, Representative J. King: Providing for the control of fireworks. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Powers, Schmidt, Silver, L. Smith, Smitherman, Tilly, Van Dyken, Walk, B. Williams and Wilson.

Voting nay: Representatives Schoon and Stratton.

Absent: Representatives Barrett and Padden.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1262 Prime Sponsor, Representative Niemi: Facilitating economic development. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk, B. Williams and Wilson.

Absent: Representatives Barrett, Holland, Padden and Schmidt.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1302 Prime Sponsor, Representative Sutherland: Extending trespass violations to land devoted to commercial production of livestock or agricultural commodities. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Ballard, Dickie, Egger, Galloway, Moon, Nealey, Prince, C. Smith and Todd.

Absent: Representatives Ebersole and Holland.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1386 Prime Sponsor, Representative R. King: Modifying provisions relating to third party actions for industrial injuries. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 30 strike "(2)" and insert "(4)"

On page 3, line 31 strike "(3)" and insert "(5)"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

January 26, 1984

HB 1406 Prime Sponsor, Representative Moon: Establishing bid requirements for PUD contracts over forty thousand dollars. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Broback, Brough, Chandler, Charnley, Egger, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Voting nay: Representatives Ballard and Garrett.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1637 Prime Sponsor, Representative D. Nelson: Providing for agreements with the federal government on the long-term disposal of high-level radioactive waste. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Moon, Pruitt, Scott and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Hastings, Isaacson, Long, Miller, Nealey and Van Luven.

Absent: Representatives Bond and Fuhrman.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1652 Prime Sponsor, Representative Jacobsen: Modifying the regulation of fireworks. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Haugen, Holland, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken and Walk.

Voting nay: Representatives Halsan, B. Williams and Wilson.

Absent: Representatives Barrett and Padden.

Passed to Committee on Rules for second reading.

January 26, 1984

HCR 39 Prime Sponsor, Representative Van Dyken: Establishing a joint select committee to review laws and policies related to community growth and development. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Voting nay: Representative Isaacson.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

January 27, 1984

Mr. Speaker:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 35,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 105, by Committee on Natural Resources (originally sponsored by Representatives Martinis, B. Williams and Stratton; by Department of Game request)

Eliminating counties' option to collect in-lieu property taxes on game department lands.

The bill was read the third time. On motion of Mr. Wang, the rules were suspended and the bill was returned to second reading for amendment.

On motion of Ms. Stratton, the following amendment was adopted:

On page 2, line 15 after "1," strike "1984" and insert "1985"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. B. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 105, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Garrett - 1.

Absent: Representatives Brekke, Padden, Williams J - 3.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1164, by Committee on Environmental Affairs (originally sponsored by Representatives Heck, Sutherland, Allen, Rust, Dellwo, J. King, Tanner and D. Nelson)

Revising solid waste management procedures.

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

Mr. Heck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1164, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Brekke, Williams J - 2.

Excused: Representative Bond - 1.

Substitute House Bill No. 1164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1190, by Representatives Grimm and Cantu (by Office of Financial Management request)

Authorizing the issuance of general obligation bonds for the department of corrections.

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

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1190, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Brekke - 1.

Excused: Representative Bond - 1.

Engrossed House Bill No. 1190, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1195, by Representatives Braddock, Cantu, Betzoff, Galloway, Johnson, Lewis, Tanner, West, Wilson, Van Luven, Hine, Clayton, Schoon and Miller (by Office of Financial Management request)

Authorizing the issuance of bonds for the community college system.

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

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1195, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Brekke - 1.

Excused: Representative Bond - 1.

House Bill No. 1195, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1304, by Representatives Smitherman, Heck and Barnes

Defining teachers eligible under the teachers' retirement system.

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

Representatives Smitherman and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1304, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Brekke - 1.

Excused: Representative Bond - 1.

Engrossed House Bill No. 1304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1413, by Representatives Walk and Egger

Revising regulation of railroads.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1413, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Brekke - 1.

Excused: Representative Bond - 1.

House Bill No. 1413, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1149, by Representatives Monohon, Barrett, Fisch, Lewis, McClure, Vekich, Sayan, Struthers, Brough, R. King, McMullen, Padden, Tanner, Holland, Todd and Powers

Authorizing certain members of affiliated organizations and their auxiliaries to assist other chapters or units with gambling activities.

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

Ms. Monohon spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Monohon, as a nonprofit corporation, would it be possible for me to have somebody set up an operation in, say, Ocean Shores, for my nonprofit purposes in order to carry on a gambling operation for my charity?"

Ms. Monohon: "You are limited to two fund raisers per year. It is strictly regulated and the rules are set up by the Gambling Commission. I would find it difficult to believe that you would set up an organization solely for that purpose if you can only raise \$10,000 and you can only have two fund raisers per year. You are not restricted as to where you can have these fund raising events. Most of the fund raising events nowadays are being held in local communities because it is too burdensome on a nonprofit organization for the members to travel a great distance and to pay for their lodging and hotel rooms. Most of the events are held locally and put on by the local organization."

Representatives Miller, B. Williams, Patrick and Van Dyken spoke against passage of the bill, and Representatives Lux and Struthers spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1149, and the bill passed the House by the following vote: Yeas, 69; nays, 28; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Broback, Cantu, Chandler, Charnley, Dellwo, Fiske, Fuhrman, Galloway, Garrett, Hankins, Isaacson, Johnson, Kreidler, Miller, Nealey, Nelson G, Patrick, Prince, Smith L, Sutherland, Van Dyken, Van Luven, Vander Stoep, Williams B - 28.

Excused: Representative Bond - 1.

Engrossed House Bill No. 1149, having received the 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 Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1123, by Representatives Monohon, Grimm, J. King, Wang and Halsan

Permitting the state employees' insurance board to expand its methods for providing insurance coverage.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 1123 was substituted for House Bill No. 1123, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1123 was read the second time.

The Clerk read the following amendment by Representative Addison: On page 4, line 9 strike "including" and insert "and shall contract for"

With the consent of the House, Mr. Addison withdrew the amendment.

Mr. Addison moved adoption of the following amendment:

On page 4, line 8 after "section," strike "The board may contract for payment of claims or other administrative services including the purchase of" and insert "If the board elects to self-fund or self-insure any program under its jurisdiction the board must contract for administrative services. The board may contract for the purchase of"

Representatives Addison and Hastings spoke in favor of the amendment, and Ms. Monohon spoke against it.

Mr. Addison spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Broback moved adoption of the following amendment:

On page 5, following line 11 insert:

"(f) No portion of the insurance programs under the boards' jurisdiction shall be self funded unless after investigation by the board it is shown that self funding would be as free of risk, as comprehensive of coverage, and as inexpensive as that coverage which may be obtained from an independent insurer, giving preference to the independent insurer to the extent the independent insurer would pay business and occupation, premium and other taxes to the state of Washington."

Representatives Broback, Hastings and Fuhrman spoke in favor of the amendment, and Representatives Monohon and Kreidler spoke against it.

Mr. Broback spoke again in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Broback to Substitute House Bill No. 1123, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yeas: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nays: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prullt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Bond - 1.

Substitute House Bill No. 1123 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1427, by Representatives Sutherland, Patrick, West, Wang, Gallagher, R. King, Fisher, Walk and Hankins

Requiring identification placards on vehicles using alternative fuel sources.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 17th Day, January 25, 1984.)

On motion of Mr. Walk, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Mr. Sutherland yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Sutherland, in the context of the definition, would that include engines that are driven by gases produced through the generation of gases from biomass?"

Mr. Sutherland: "Representative Isaacson, on the first page, line 13, the words 'chemically similar gas' are to be construed or liberally interpreted and what you are questioning would fit under that."

Representatives Isaacson and Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1427, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed House Bill No. 1427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1530, by Representatives Garrett, Egger and Walk

Updating the Model Traffic Ordinance.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Garrett spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1530, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

House Bill No. 1530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 33, by Representatives Vekich, Sayan, Fisch, McClure, Monohon, Betrozoff, Sanders and J. Williams

Memorializing Congress to proceed with the Grays Harbor navigation improvement project.

The memorial was read the second time. Committee on Natural Resources recommendation: Majority, do pass with the following amendment:

On page 2, line 11 after "feet" insert "to -38 feet"

On motion of Mr. Vekich, the committee amendment was adopted.

The memorial was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Vekich and Sayan spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 33, and the memorial passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed House Joint Memorial No. 33, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1348, by Representatives Jacobsen, Burns, Prince, Charnley, Locke, D. Nelson and Appelwick

Providing exemptions from payment of operating fees to certain students with graduate service appointments.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass with the following amendment:

On page 1, line 20 after "as to" strike "assure" and insert "ensure"

On motion of Mr. Burns, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1348, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed House Bill No. 1348, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1613, by Representatives Powers, Sutherland, Burns, Jacobsen, McMullen, Fisch, D. Nelson, Kreidler, Smitherman, Ebersole, Taylor, Wang, Tanner, Miller, Todd and Allen

Creating the Washington award for vocational excellence program.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 1613 was substituted for House Bill No. 1613, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1613 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Powers, Taylor, Kaiser and Isaacson spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Powers yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Powers, you pointed out that under section 2(6) that up to three graduating vocational or technical students would be recognized for outstanding achievement in each legislative district. Could you clarify how that would be conducted or how that might operate?"

Ms. Powers: "This bill is under the auspices of the Commission for Vocational Education, and they will establish a planning committee which will develop the criteria and the selection process. They will develop those rules."

Mr. Isaacson: "And will they notify the legislators in those districts?"

Ms. Powers: "Yes, there will be an award ceremony coordinated with the Governor's office and the legislators will be apprised of the honorees."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1613, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Substitute House Bill No. 1613, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1423, by Representatives Sanders, Lux, Zellinsky, Kreidler, Hankins, West, Wang, Ballard, Crane, Galloway, Monohon, Johnson, Dickie, P. King, Garrett, Broback, Van Luven and Long

Prohibiting requirement for over-insuring property.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sanders and Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1423, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Vekich - 1.

Excused: Representative Bond - 1.

House Bill No. 1423, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Struthers was excused.

HOUSE BILL NO. 1197, by Representatives Sommers, Burns, Vander Stoep, Prince, Crane, Dellwo, Grimm and Miller (by Office of Financial Management request)

Providing mechanisms for cooperation among postsecondary institutions.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 1197 was substituted for House Bill No. 1197, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1197 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sommers and Prince spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1197, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Struthers - 2.

Substitute House Bill No. 1197, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1139, by Representatives Kaiser, Prince, Betzoff, Charnley, Galloway, Haugen, Ballard, Braddock, Holland, Todd and Ebersole

Clarifying provisions relating to ground water rights.

The bill was read the second time. On motion of Mr. Kaiser, Substitute House Bill No. 1139 was substituted for House Bill No. 1139, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1139 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kaiser, C. Smith, Charnley and Isaacson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kaiser yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Kaiser, in reading section 4, we are protecting the quality of the water for the person who has the senior water rights. Would that principle extend to major construction activities such as, for example, if somebody was operating nearby and blasted out a large chunk of rock for a landfill operation, for riprap or something like that, and they upset the direction of a well on the adjacent property, would that be covered under section 4?"

Mr. Kaiser: "I really can't answer that. I think there would be some question about that. I think that probably further legislation would be needed to cover that specifically."

Mr. Van Dyken spoke against passage of the bill, and Mr. Kaiser spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1139, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Sloep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Van Dyken - 1.

Excused: Representatives Bond, Struthers - 2.

Substitute House Bill No. 1139, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1169, by Representatives Appelwick, Halsan, Niemi, Armstrong, Brough, Burns and Powers

Modifying requirements pertaining to contests of chance.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 1169 was substituted for House Bill No. 1169, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1169 was read the second time.

Mr. G. Nelson moved adoption of the following amendments by Representatives G. Nelson and Appelwick:

On page 8, line 3 after "outlets" insert "whose primary business activity involves the sale of groceries."

On page 8, line 5 strike "grocery"

Representatives G. Nelson and Appelwick spoke in favor of the amendments.

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Appelwick, I wonder if you might, just for the record, define what is 'primarily'?"

Mr. Appelwick: "I would not attempt at this point to pin that down. I would think that with any certainty in terms of proportion we might use, for example, a Fred Meyers store, which is normally a utility store, and in some instances has a grocery section. In that case, if it has a specific grocery section and is offering groceries for sale on a regular basis, it would be within the prohibition on the fact of

doing promotional games with grocery items. If the sale of a grocery item or food product is an isolated or casual sale, then that would not be within the restrictions because it is not normally their product. I will offer some further clarifying language on final reading."

Ms. Brough spoke against the amendments.

The amendments were adopted.

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson and Appelwick:

On page 8, line 7 strike "seven" and insert "thirty"

Representatives G. Nelson, Appelwick, Schoon, Zellinsky and Barnes spoke in favor of the amendment, and Representatives Armstrong and Charnley spoke against it.

Mr. G. Nelson spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives G. Nelson and Appelwick to Substitute House Bill No. 1169, and the amendment was adopted by the following vote: Yeas, 73; nays, 23; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Broback, Burns, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P. King R, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Tanner, Taylor, Tilly, Van Luven, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 73.

Voting nay: Representatives Armstrong, Brekke, Brough, Charnley, Crane, Fisch, Fisher, Heck, King J, Kreidler, Miller, Moon, Prince, Pruitt, Rust, Scott, Sommers, Sutherland, Todd, Van Dyken, Vander Stoep, Vekich, and Mr. Speaker - 23.

Excused: Representatives Bond, Struthers - 2.

Substitute House Bill No. 1169 was ordered engrossed and passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 307, by Committee on Judiciary (originally sponsored by Representatives Moon, Powers, Tanner, Taylor, Appelwick, Zellinsky, Lewis, Sayan, Mitchell, Miller, Haugen, Smitherman, Ebersole, Isaacson, Fisher, Jacobsen, Todd, Ristuben, Long, Lux, Locke, Braddock and P. King)

Requiring the department of corrections to give notice to certain people of the disposition of inmates convicted of violent offenses.

The bill was read the second time. On motion of Mr. Armstrong, Second Substitute House Bill No. 307 was substituted for Substitute House Bill No. 307, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 307 was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 307, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd,

Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Struthers - 2.

Second Substitute House Bill No. 307, having received the 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 Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 27, 1984

HB 1144 Prime Sponsor, Representative Dellwo: Establishing qualifications for persons handling claims for self-insurers. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler, Clayton, Patrick and C. Smith.

Voting nay: Representatives Betzoff, Chandler, Clayton, Patrick, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1292 Prime Sponsor, Representative Appelwick: Repealing the requirement that World War II veterans be given certain law school credits. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Struthers, Sutherland, Tanner and Vander Stoep.

Absent: Representatives Crane and Fiske.

Passed to Committee on Rules for second reading.

January 27, 1984

HB 1344 Prime Sponsor, Representative McMullen: Requiring examinations for applicants for teaching certificates. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Ebersole, Egger, Haugen, Heck, Holland, Johnson, Long and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Dickie, Fuhrman and Taylor.

Voting nay: Representatives Betzoff, Chandler, Dickie, Fuhrman and Taylor.

Absent: Representative Schoon.

Rereferred to Committee on Ways & Means.

January 30, 1984

HB 1495 Prime Sponsor, Representative Niemi: Abolishing the institute of child development research and service. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Struthers, Tanner and Vander Stoep.

Voting nay: Representatives R. King and Sutherland.

Absent: Representatives Crane and Fiske.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Tuesday, January 31, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, January 31, 1984

The House was called to order at 1:00 p.m. by the Speaker (Ms. Belcher presiding). The Clerk called the roll and all members were present except Representatives Armstrong, Bond, Fuhrman and Taylor, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heather Buck and Lisa Bockenstedt. Prayer was offered by The Reverend David Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

January 30, 1984

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3092,
SECOND SUBSTITUTE SENATE BILL NO. 3158,
SENATE BILL NO. 3376,
SUBSTITUTE SENATE BILL NO. 3758,
ENGROSSED SENATE BILL NO. 4228,
ENGROSSED SENATE BILL NO. 4289,
SENATE BILL NO. 4316,
SENATE BILL NO. 4327,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4404,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

January 30, 1984

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 143,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

SB 3092 by Senators Hemstad and Talmadge

Modifying provisions relating to the law revision commission.

Referred to Committee on Judiciary

2SSB 3158 by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Woody; by Department of Licensing request)

Modifying the trade name regulation laws.

Referred to Committee on Judiciary

SB 3376 by Senators Talmadge, Clarke and Warnke

Modifying provisions relating to the salary of the administrator for the courts.

Referred to Committee on Judiciary

SSB 3758 by Committee on Transportation (originally sponsored by Senators Lee, Owen, Granlund and Patterson)

Regulating excursion service companies.

Referred to Committee on Transportation

- ESB 4228 by Senators Fleming and McDermott
Changing the grounds for malicious harassment.
Referred to Committee on Judiciary
- ESB 4289 by Senators Granlund, Thompson and Vognild
Clarifying provisions on two-way left turn lanes.
Referred to Committee on Transportation
- SB 4316 by Senators Talmadge, Hemstad, Moore and Woody
Revising the mobile home landlord tenant laws.
Referred to Committee on Judiciary
- SB 4327 by Senators Peterson, Hansen, Patterson, Sellar and von Reichbauer; by
Department of Transportation request
Requiring review and revisions of the state transportation plan every six years.
Referred to Committee on Transportation
- ESSB 4404 by Committee on Ways & Means (originally sponsored by Senators
McDermott, Thompson, Patterson, Hughes, Woody, Zimmerman,
Sellar, Gaspard, Peterson, Conner, Bauer, Barr and Fleming)
Providing loans for certain public works.
Referred to Committee on Commerce & Economic Development
- SCR 143 by Senators Hansen, Barr, Goltz, Benitz and Gaspard
Recognizing Future Farmers of America Week.
Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

January 27, 1984

- HB 1191 Prime Sponsor, Representative Ebersole: Mandating water quality testing by public water supply systems. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Patrick, Pruitt, Van Dyken and J. Williams.

Passed to Committee on Rules for second reading.

January 27, 1984

- HB 1246 Prime Sponsor, Representative Galloway: Relating to improving excellence in education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Dickie, Ebersole, Egger, Haugen, Heck, Holland, Johnson, Long, Rust and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Dickie, Fuhrman and Taylor.

Absent: Representative Schoon.

Referred to Committee on Ways & Means.

January 30, 1984

- HB 1319 Prime Sponsor, Representative Barnes: Revising the area for aircraft noise abatement programs. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley,

Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1378 Prime Sponsor, Representative Niemi: Changing provisions relating to state civil service. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, Sayan and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Hankins, Nealey, Silver, Taylor and J. Williams.

Voting nay: Representatives Bond, Nealey, Silver and J. Williams.

Absent: Representatives Bond, Johnson, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1379 Prime Sponsor, Representative P. King: Authorizing distribution of municipal sales and use tax equalization funds to cities and towns incorporated since January 1, 1983. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1387 Prime Sponsor, Representative D. Nelson: Establishing conditions for the construction of the state convention and trade center. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 27 after "center." strike everything down to and including "Seattle," on line 29.

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, Sayan, Walk and J. Williams.

Voting nay: Representatives Hankins, Nealey, Silver and Taylor.

Absent: Representatives Bond, Johnson and O'Brien.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1408 Prime Sponsor, Representative Grimm: Authorizing cities and towns to conduct and fund historic preservation activities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 6 after "real" insert "and personal"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1638 Prime Sponsor, Representative Belcher: Establishing a pilot-scale management assessment and training program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Kaiser, R. King, Lux, Nealey, D. Nelson, Sayan, Walk and J. Williams.

Voting nay: Representative Silver.

Absent: Representatives Bond, Johnson and O'Brien.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1660 Prime Sponsor, Representative Grimm: Improving the quality of education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Chandler, Dickie, Ebersole, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Rust, Taylor and Todd.

Voting nay: Representative Betzoff.

Absent: Representative Schoon.

Referred to Committee on Ways & Means.

January 30, 1984

HB 1722 Prime Sponsor, Representative Grimm: Relating to the combination of the planning and community affairs agency and the department of commerce and economic development. (t.o.) Reported by Committee on Rules

Referred from Rules to Committee on Commerce & Economic Development.

January 30, 1984

HB 1724 Prime Sponsor, Representative Grimm: Relating to the transfer of programs from the planning and community affairs office to the office of the governor. (t.o.) Reported by Committee on Rules

Referred from Rules to Committee on State Government.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1123, by Committee on Ways & Means (originally sponsored by Representatives Monohon, Grimm, J. King, Wang and Halsan)

Permitting the state employees' insurance board to expand its methods for providing insurance coverage.

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

Representatives Monohon, Braddock and Lux spoke in favor of passage of the bill, and Representatives Broback, Hastings and Cantu spoke against it.

Ms. Monohon spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1123, and the bill passed the House by the following vote: Yeas, 56; nays, 38; excused, 4.

Voting yea: Representatives Allen, Appelwick, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Tilly, Van Dyken, Van Luven, Vander Stoep, Williams J, Wilson - 38.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Substitute House Bill No. 1123, having received the 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1142, by Representatives Dellwo, R. King, Belcher, Sayan, Fisher, Fisch, Brekke, McMullen and Lux

Modifying procedures for filing claims for occupational disease.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 12th Day, January 20, 1984.)

On motion of Mr. R. King, the committee amendment was adopted.

On motion of Mr. R. King, the following amendments were adopted:

On page 2, beginning on line 9 strike all of section 4.

On page 1, beginning on line 1 of the title, after "diseases;" strike all material through "RCW 51.28.055" on line 7 and insert "amending section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020; adding a new section to chapter 51.28 RCW; and amending section 51.28.055, chapter 23, Laws of 1961 as last amended by section 34, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.055"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1142, and the bill passed the House by the following vote: Yeas, 89; nays, 5; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Chandler, Clayton, Dickie, Schoon, Smith C - 5.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Engrossed House Bill No. 1142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 713, by Committee on Social & Health Services (originally sponsored by Representatives Charnley, Brough, Wang and Kreidler)

Providing procedures for contributions by cities and towns to county or city-county health departments.

The bill was read the second time. On motion of Mr. Kreidler, Second Substitute House Bill No. 713 was substituted for Substitute House Bill No. 713, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 713 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 713, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Second Substitute House Bill No. 713, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1177, by Representatives Kreidler, Dellwo, Lewis, Braddock, Fiske, McClure, Niemi and B. Williams

Authorizing preferred provider arrangements for health insurance.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1177 was substituted for House Bill No. 1177, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1177 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1178, by Representatives Kreidler, Lewis, Wang and B. Williams

Regulating health and health-related professions and businesses.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1178 was substituted for House Bill No. 1178, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1178 was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Patrick.

Mr. Patrick: "Representative Kreidler, is it the intent of section 5 to allow the Director of Licensing to contract with existing boards to perform investigatory or demonstrative functions established to the director in section 4(2) of this act?"

Mr. Kreidler: "No."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1178, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Substitute House Bill No. 1178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1270, by Representatives Todd, Crane, Schoon, Dellwo, Brough, Hine, Armstrong, Ebersole, Ellis, Heck, Garrett, Walk, R. King, Sayan, Appelwick, Charnley, Powers, Tanner, Belcher, Galloway, Haugen, McMullen, Barnes, Patrick, Locke, D. Nelson and Grimm

Revising mobile home landlord-tenant act.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1270 was substituted for House Bill No. 1270, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1270 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1390, by Representatives Van Luven, O'Brien, Wang, Lewis, Walk, Todd, Sanders, Kreidler, Allen, G. Nelson, Barrett, Ebersole, L. Smith, Long, Mitchell, Crane, Ballard and Miller

Granting disabled persons from other states having special license plates the same parking privileges as disabled persons in this state.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1390 was substituted for House Bill No. 1390, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1390 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Mr. Van Luven spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1390, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 4; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betzoff, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 90.

Absent: Representatives Belcher, Burns, Rust, and Mr. Speaker - 4.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Substitute House Bill No. 1390, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1698, by Representatives Zellinsky, Walk, J. Williams, Garrett and Egger

Delaying the requirement of replacing five-year old license plates.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1698 was substituted for House Bill No. 1698, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1698 was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1698, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Needley, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Substitute House Bill No. 1698, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1439, by Representatives Fisch, R. King, Barnes, Patrick, Dellwo, Fisher, Sayan and Long

Modifying provisions relating to unemployment compensation.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 1439 was substituted for House Bill No. 1439, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1439 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1083, by Representative Grimm

Relating to fiscal matters.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 1083 was substituted for House Bill No. 1083, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1083 was read the second time.

Mr. Grimm moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. There is added to chapter 82.01 RCW a new section to read as follows:

(1) The director shall employ an economic and revenue forecast supervisor to supervise the preparation of all economic and revenue forecasts. As used in this section and sections 3 and 4 of this act, 'supervisor' means the economic and revenue forecast supervisor. Approval by an affirmative vote of at least five members of the economic and revenue forecast council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years, unless the supervisor is reappointed by the director and approved by the economic and revenue forecast council for another three years. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(2) Four times each year the supervisor shall prepare, subject to the approval of the economic and revenue forecast council under section 4(2) of this act:

(a) An official state economic and revenue forecast;

(b) An unofficial state economic and revenue forecast based on optimistic economic and revenue projections; and

(c) An unofficial state economic and revenue forecast based on pessimistic economic and revenue projections.

(3) The supervisor shall submit forecasts prepared under this section, along with any unofficial forecasts provided under section 4(3) of this act, to the governor and the legislature on or before December 20th, February 20th in the even-numbered years, March 20th in the odd-numbered years, June 20th, and September 20th.

NEW SECTION. Sec. 2. There is added to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, this chapter does not apply to the economic and revenue forecast supervisor and staff employed under section 1 of this act.

NEW SECTION. Sec. 3. There is added to chapter 82.01 RCW a new section to read as follows:

The administrator of the legislative evaluation and accountability program committee may request, and the supervisor shall provide, alternative economic and revenue forecasts based on assumptions specified by the administrator.

NEW SECTION. Sec. 4. There is added to chapter 82.01 RCW a new section to read as follows:

(1) The economic and revenue forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives.

(2) The economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official, optimistic, and pessimistic state economic and revenue forecasts prepared under section 1 of this act. If the council is unable to approve a forecast before a date required in section 1 of this act, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(3) A council member who does not cast an affirmative vote for approval of the official economic and revenue forecast may request, and the supervisor shall provide, an alternative economic and revenue forecast based on assumptions specified by the member.

(4) Members of the economic and revenue forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Non-legislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 5. There is added to chapter 82.01 RCW a new section to read as follows:

(1) To promote the free flow of information and to promote legislative input in the preparation of forecasts, immediate access to all information relating to economic and revenue forecasts shall be available to the economic and revenue forecast work group, hereby created. Revenue collection information shall be available to the economic and revenue forecast work group the first business day following the conclusion of each collection period. The economic and revenue forecast work group shall consist of one staff member selected by the executive head or chairperson of each of the following agencies or committees:

- (a) Department of revenue;
- (b) Office of financial management;
- (c) Legislative budget committee;
- (d) Legislative evaluation and accountability program committee;
- (e) Ways and means committee of the senate; and
- (f) Ways and means committee of the house of representatives.

(2) The economic and revenue forecast work group shall provide technical support to the economic and revenue forecast council. Meetings of the economic and revenue forecast work group may be called by any member of the group for the purpose of assisting the economic and revenue forecast council, reviewing the state economic and revenue forecasts, or reviewing monthly revenue collection data or for any other purpose which may assist the economic and revenue forecast council.

Sec. 6. Section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020 are each amended to read as follows:

(1) 'Budget' shall mean a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures.

(2) 'Budget document' shall mean a formal, written statement offered by the governor to the legislature, as provided in RCW 43.88.030.

(3) 'Director of financial management' shall mean the official appointed by the governor to serve at the governor's pleasure and to whom the governor may delegate necessary authority to carry out the governor's duties as provided in this chapter. The director of financial management shall be head of the office of financial management which shall be in the office of the governor.

(4) 'Agency' shall mean and include every state office, officer, each institution, whether educational, correctional or other, and every department, division, board and commission, except as otherwise provided in this chapter.

(5) 'Public funds' for purposes of this chapter, shall mean all moneys, including cash, checks, bills, notes, drafts, stocks and bonds, whether held in trust, for operating purposes, or for capital purposes, and collected or disbursed under law, whether or not such funds are otherwise subject to legislative appropriation, including funds maintained outside the state treasury.

(6) 'Regulations' shall mean the policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the governor or his designated agent, and which shall have the force and effect of law.

(7) 'Ensuing biennium' shall mean the fiscal biennium beginning on July 1st of the same year in which a regular session of the legislature is held during an odd-numbered year pursuant to Article II, section 12 of the Constitution and which biennium next succeeds the current biennium.

(8) 'Dedicated fund' means a fund in the state treasury, or a separate account or fund in the general fund in the state treasury, that by law is dedicated, appropriated or set aside for a limited object or purpose; but 'dedicated fund' shall not include a revolving fund or a trust fund.

(9) 'Revolving fund' means a fund in the state treasury, established by law, from which is paid the cost of goods or services furnished to or by a state agency, and which is replenished through charges made for such goods or services or through transfers from other accounts or funds.

(10) 'Trust fund' means a fund in the state treasury in which designated persons or classes of persons have a vested beneficial interest or equitable ownership, or which was created or established by a gift, grant, contribution, devise, or bequest that limits the use of the fund to designated objects or purposes.

(11) 'Administrative expenses' means expenditures for: (a) Salaries, wages, and related costs of personnel and (b) operations and maintenance including but not limited to costs of supplies, materials, services, and equipment.

(12) 'Fiscal year' means the year beginning July 1st and ending the following June 30th.

(13) 'Lapse' means the termination of authority to expend an appropriation.

(14) 'Legislative fiscal committees' means the legislative budget committee, the legislative evaluation and accountability program committee, the ways and means committees of the senate and house of representatives, and, where appropriate, the legislative transportation committee.

(15) 'Fiscal period' means the period for which an appropriation is made as specified within the act making the appropriation.

(16) 'Primary budget driver' means the primary determinant of a budget level, other than a price variable, which causes or is associated with the major expenditure of an agency or budget unit within an agency, such as a caseload, enrollment, workload, or population statistic.

(17) 'Stabilization account' means the budget stabilization account created under RCW 43.88.525 as an account in the general fund of the state treasury.

(18) 'State tax revenue limit' means the limitation created by chapter 43.135 RCW.

(19) 'General state revenues' means the revenues defined by Article VIII, section 1(c) of the state Constitution.

(20) 'Annual growth rate in real personal income' means the estimated percentage growth in personal income for the state during the current fiscal year, expressed in constant value dollars, as published by the office of financial management or its successor agency.

(21) 'Estimated revenues' means estimates of revenue in the most recent official economic and revenue forecast prepared under section 1 of this 1984 act.

Sec. 7. Section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030 are each amended to read as follows:

(1) The budget document or documents shall consist of the governor's budget message which shall be explanatory of the budget and shall contain an outline of the proposed financial policies of the state for the ensuing fiscal period and shall describe in connection therewith the important features of the budget. The message shall set forth the reasons for salient changes from the previous fiscal period in expenditure and revenue items and shall explain any major changes in financial policy. Attached to the budget message shall be such supporting schedules, exhibits and other explanatory material in respect to both current operations and capital improvements as the governor shall deem to be useful to the legislature. The budget document or documents shall set forth a proposal for expenditures in the ensuing fiscal period based upon (~~anticipated~~) estimated revenues for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document: PROVIDED, That the governor may additionally submit, as an appendix to each agency budget or to the budget document or documents, a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes.

The budget document or documents shall also contain:

(a) Revenues classified by fund and source for the immediately past fiscal period, those received or anticipated for the current fiscal period, and those anticipated for the ensuing biennium;

(b) Cash surplus or deficit, by fund, to the extent provided by RCW 43.88.040 and 43.88.050;

(c) Such additional information dealing with expenditures, revenues, workload, performance and personnel as the legislature may direct by law or concurrent resolution;

(d) Such additional information dealing with revenues and expenditures as the governor shall deem pertinent and useful to the legislature;

(e) Tabulations showing expenditures classified by fund, function, activity and object; and

(f) A delineation of each agency's activities, including those activities funded from non-budgeted, nonappropriated sources, including funds maintained outside the state treasury.

(2) The budget document or documents shall include detailed estimates of all anticipated revenues applicable to proposed operating or capital expenditures and shall also include all proposed operating or capital expenditures. The total of anticipated revenues shall equal or exceed the total of proposed applicable expenditures. The budget document or documents shall further include:

(a) Interest, amortization and redemption charges on the state debt;

(b) Payments of all reliefs, judgments and claims;

(c) Other statutory expenditures;

(d) Expenditures incident to the operation for each agency;

(e) Revenues derived from agency operations;

(f) Expenditures and revenues shall be given in comparative form showing those incurred or received for the immediately past fiscal period and those anticipated for the current biennium and next ensuing biennium.

(3) A separate budget document or schedule may be submitted consisting of:

(a) Expenditures incident to current or pending capital projects and to proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts proposed to be raised therefor by the issuance of bonds during the fiscal period;

(b) A capital program consisting of proposed capital projects for at least the two fiscal periods succeeding the next fiscal period. The capital program shall include for each proposed project a statement of the reason or purpose for the project along with an estimate of its cost;

(c) Such other information bearing upon capital projects as the governor shall deem to be useful to the legislature;

(d) Such other information relating to capital improvement projects as the legislature may direct by law or concurrent resolution.

(4) No change affecting the comparability of agency or program information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document or report presented to the legislature under this section or RCW 43.88.160(1) relative to the format of the budget document or report which was presented to the previous regular session of the legislature during an odd-numbered year without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative evaluation and accountability program committee if the legislature is not in session.

Sec. 8. Section 43.88.110, chapter 8, Laws of 1965 as last amended by section 1, chapter 47, Laws of 1983 1st ex. sess. and RCW 43.88.110 are each amended to read as follows:

This section sets forth the expenditure programs and the allotment and reserve procedures to be followed by the executive branch for public funds. Allotments of an appropriation for any fiscal period shall conform to the terms, limits, or conditions of the appropriation.

(1) Before the beginning of the fiscal period, all agencies shall submit to the governor a statement of proposed agency expenditures at such times and in such form as may be required by the governor. The statement of proposed expenditures shall show, among other things, the requested allotments of public funds for the ensuing fiscal period for the agency concerned on a monthly basis for the entire fiscal period. The governor shall review the requested allotments in the light of the agency's plan of work and, with the advice of the director of financial management, the governor may revise or alter agency allotments: PROVIDED, That revision of allotments shall not be made for agencies headed by elective officials pursuant to this subsection. The aggregate of the allotments for an appropriation shall not exceed the total appropriation.

(2) Except for the legislative and judicial branches of government, approved allotments may be revised during the course of the fiscal period in accordance with the regulations issued pursuant to this chapter. If at any time during the fiscal period the governor shall ascertain that ((available)) estimated revenues for the applicable period will be less than the respective appropriations, the governor shall revise the allotments concerned so as to prevent the making of expenditures in excess of ((available)) estimated revenues. To the same end, the governor is authorized to withhold and to assign to, and to remove from, a reserve status any portion of an agency appropriation which in the governor's discretion is not needed for the allotment.

No expenditures shall be made from any portion of an appropriation which has been assigned to a reserve status except as provided in this section.

(3) It is expressly provided that all agencies shall be required to maintain accounting records and to report thereon in the manner prescribed in this chapter and under the regulations issued pursuant to this chapter. The director of financial management shall monitor agency expenditures to prevent spending patterns which inflate agency expenditures during the second year of a biennium.

(4) The director of financial management may exempt certain public funds from the allotment controls established under this chapter if it is not practical or necessary to allot the funds. Allotment control exemptions expire at the end of the fiscal biennium for which they are granted. The director of financial management shall report any exemptions granted under this subsection to the legislative fiscal committees.

Sec. 9. Section 7, chapter 270, Laws of 1981 as amended by section 2, chapter 15, Laws of 1982 2d ex. sess. and RCW 43.88.112 are each amended to read as follows:

If at any time during the fiscal period the governor ascertains that ~~((available))~~ estimated revenues for the applicable period will be less than the respective appropriations, the governor shall revise the allotments for the total funds which are appropriated to the superintendent of public instruction for support of state-wide programs and which ultimately will be distributed to local school districts so as to prevent the making of expenditures in excess of ~~((available))~~ estimated revenues, but the governor shall not revise the allotments for the superintendent of public instruction for support of state-wide programs by an amount which would result in less than ample provision for the basic education of the children of the state.

Sec. 10. Section 43.88.120, chapter 8, Laws of 1965 as last amended by section 8, chapter 270, Laws of 1981 and RCW 43.88.120 are each amended to read as follows:

~~((Before the submittal of the budget document as required in RCW 43.88.060, any))~~ Each agency engaged in the collection of revenues shall prepare statements of revenue collections and estimates for the current and ensuing biennium~~((The estimates shall be updated quarterly and submitted to the governor. The director of financial management may waive the quarterly update requirement for revenue sources if the director determines that quarterly updates are not practical or necessary))~~ and shall submit the statements and estimates to the director of revenue at times and in the form specified by the director, along with any other information which the director may request.

A copy of such collection reports~~((;))~~ and revenue estimates~~((; and waivers))~~ shall be simultaneously submitted to the ~~((legislative budget committee and the committees on ways and means of the senate and house of representatives))~~ economic and revenue forecast work group.

Sec. 11. Section 5, chapter 280, Laws of 1981 and RCW 43.88.540 are each amended to read as follows:

Subsequent to a transfer to the general fund from the stabilization account, resumption of further deposits to the stabilization account shall be made during the biennium when ~~((projections of state))~~ estimated revenues~~((as determined pursuant to this section;))~~ demonstrate that resumption of deposits can be made.

The director of financial management as agent of the governor shall ~~((identify the revenue forecasts to be utilized and))~~ determine the timing of resumption of deposits to the stabilization account.

Sec. 12. Section 82.32.330, chapter 15, Laws of 1961 as last amended by section 1, chapter 104, Laws of 1969 ex. sess. and RCW 82.32.330 are each amended to read as follows:

Except as hereinafter provided it shall be unlawful for the department of revenue or any member, deputy, clerk, agent, employee, or representative thereof or any other person to make known or reveal 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 hereof. The foregoing, however, shall not be construed to prohibit the department of revenue or a member or employee thereof from: (1) Giving such facts or information in evidence in any court action involving tax imposed hereunder or involving a violation of the provisions hereof or involving another state department and the taxpayer; (2) giving such facts and information to the taxpayer or his duly authorized agent; (3) publishing statistics so classified as to prevent the identification of particular returns or reports or items thereof; (4) giving such facts or information, for official purposes only, to the governor or attorney general, or to any state department, agency, board, commission, council, or any committee or subcommittee of the legislature dealing with matters of taxation, revenue, trade, commerce, the control of industry or the professions; (5) permitting its records to be audited and examined by the proper state officer, his agents and employees; (6) giving any such facts or information to the proper officer of the internal revenue service of the United States or to the proper officer of the tax department of any state or city or town or county, for official purposes, but only if the statutes of the United States or of such other state or city or town or county, as the case may be, grants substantially similar privileges to the proper officers of this state; or (7) giving any such facts or information to the Department of Justice or the army or navy departments of the United States, or any authorized representative thereof, for official purposes.

Any person acquiring knowledge of such facts or information in the course of his employment with the department of revenue and any person acquiring knowledge of such facts and information as provided under (4), (5), (6) and (7) above, who reveals or makes known any such facts or information to another not entitled to knowledge of such facts or information under the provisions of this section, shall be punished by a fine of not exceeding one thousand dollars and, if the offender or person guilty of such violation is an officer or employee of the state, he

shall forfeit such office or employment and shall be incapable of holding any public office or employment in this state for a period of two years thereafter.

NEW SECTION. Sec. 13. This act shall take effect October 1, 1984."

Mr. Grimm spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Grimm, in your contact with the Office of Financial Management, are they agreeing with the bill?"

Mr. Grimm: "Representative Cantu, I have not received word back from the Governor stating the specific language, but the basic premise of having the council established and having the staff deal with the Department of Revenue is consistent with the proposal that has come from the Governor's Office. Basically, this is no different from the last proposal that came from the Governor's Office two weeks ago. I don't think there's anything in here that would, in any way, contradict the wishes of or be opposed by the Governor."

Mr. Cantu spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Grimm yielded to question by Ms. Allen.

Ms. Allen: "Representative Grimm, I would like to know, are there any committees or boards or councils that this will supersede that we can get rid of, or erase a few of the thousands that are running around, or is this just one more in the superstructure?"

Mr. Grimm: "This is one more in the superstructure in terms of a title. In terms of staffing or additional responsibilities extended to the state, it doesn't add anything. In fact, it probably fades some of the duplicative services that are currently being provided. We have our own analysis of what the Senate does, the Governor's office does, and to some extent, that may no longer be necessary, so I think that while you are creating something, it is really only in name. It simply changes the working mechanism by which we come up with economic and revenue forecasting and has the legislature involved."

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Grimm, I've been in this body for eight years and I haven't seen a good revenue forecast come out of the executive branch yet. Do you believe this will improve the revenue forecasting of the executive branch? It really needs improvement."

Mr. Grimm: "That is a good question, Representative Sanders. Does this guarantee any better projection? No. What it does guarantee is that there will not be any manipulation, political manipulation, of the assumption and hopefully, any wholly unreasonable assumptions that have been the case under different governors of different parties. Really the crux of it, is that not only Democratic and Republican legislators and the governors be involved, but also the timely availability of information is a critical element. Previously, with governors of different parties--the governors have been reticent about giving the legislature the background information and sometimes withhold information until it is convenient for them to release it. This way, with both Democrats and Republicans in the legislature involved, it's going to eliminate any partisan political manipulation. If those four or five out of the six want to manipulate it, or if they are going to be wrong, that's still a likelihood and still is possible, but it eliminates that manipulation. I think it has been a concern to several people on both sides of the aisle for some time. It was exposed over the past two years when we bore the brunt of the errors rather than the Senate having it."

Mr. Sanders spoke in favor of the amendment, and it was adopted.

On motion of Mr. Grimm, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030; amending section 43.88.110, chapter 8, Laws of 1965 as last amended by section 1, chapter 47, Laws of 1983 1st ex. sess. and RCW 43.88.110; amending section 7, chapter 270, Laws of 1981 as amended by section 2, chapter 15, Laws of 1982 2nd ex. sess. and RCW 43.88.112; amending section 43.88.120, chapter 8, Laws of 1965 as last amended by section 8, chapter 270, Laws of 1981 and RCW 43.88.120; amending section 5, chapter 280, Laws of 1981 and RCW 43.88.540; amending section 82.32.330, chapter 15, Laws of 1961 as last amended by section 1, chapter 104, Laws of 1969 ex. sess. and RCW 82.32.330; adding a new section to chapter 41.06 RCW; adding new sections to chapter 82.01 RCW; and providing an effective date."

Substitute House Bill No. 1083 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1124, by Representatives Moon, Van Dyken, Brough, Isaacson, D. Nelson and Miller

Simplifying government borrowing.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1124 was substituted for House Bill No. 1124, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1124 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon and Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1124, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J., King P., King R., Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Substitute House Bill No. 1124, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1328, by Representatives Kreidler, Barrett, L. Smith, Wang, Egger, Stratton and Mitchell

Revising provisions relating to the abuse of elderly and dependent adults.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 18th Day, January 26, 1984.)

On motion of Mr. Kreidler, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1328, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Pruitt - 1.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Engrossed House Bill No. 1328, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 1355, by Representatives Niemi, Belcher, O'Brien, Johnson, Kreidler, Halsan and D. Nelson

Authorizing voluntary payroll deduction for political action committees by state employees.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day, January 27, 1984.)

On motion of Ms. Niemi, the committee amendments were adopted.

Mr. Hastings moved adoption of the following amendment:

On page 2, line 19 after "organization" insert "only if the political committee or fund requires affirmative written renewal, at least annually, of the contribution"

Mr. Hastings spoke in favor of the amendment.

Mr. Barrett demanded an electric roll call and the demand was sustained.

Representatives Barnes, Schoon and G. Nelson spoke in favor of the amendment, and Representative Niemi spoke against it.

Representatives Barnes and Hastings spoke again in favor of the amendment, and Ms. Niemi again opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to House Bill No. 1355, and the amendment was not adopted by the following vote: Yeas, 43; nays, 51; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Tilly, Van Dyken, Van Luven, Vander Sloep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Mr. Broback moved adoption of the following amendment:

On page 2, line 19 after "organization" insert "only if the political committee or fund clearly states that the contribution is optional"

Representatives Broback and Hastings spoke in favor of the amendment, and Ms. Niemi spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Broback to House Bill No. 1355, and the amendment was not adopted by the following vote: Yeas, 43; nays, 51; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Ms. Silver moved adoption of the following amendment:

On page 2, line 19 after "organization" insert "only if the political committee or fund permits the member to designate that the contribution shall be used for a specific political party"

Representatives Silver and Barnes spoke in favor of the amendment, and Ms. Niemi spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to House Bill No. 1355, and the amendment was not adopted by the following vote: Yeas, 45; nays, 49; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Mr. Addison moved adoption of the following amendment:

On page 2, line 19 after "organization" insert "only if the political committee or fund permits the member to designate that the contribution shall be used for a specific candidate"

Mr. Addison spoke in favor of the amendment, and Ms. Niemi opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to House Bill No. 1355, and the amendment was not adopted by the following vote: Yeas, 42; nays, 52; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Armstrong, Bond, Fuhrman, Taylor - 4.

Representative Taylor appeared at the bar of the House.

Mr. Hastings moved adoption of the following amendment:

On page 2, after line 22 insert a new paragraph to read as follows:
"All costs relating to implementing and maintaining the program for voluntary deductions to political action committees shall be borne by, and assessed against, the recipient political

action committees. A deduction for a political action committee is not authorized unless the committee has agreed to pay a reasonable fee. This fee shall be set by the office of financial management and shall produce sufficient revenues to pay for implementing and maintaining the program for deductions to political action committees."

Representatives Hastings, G. Nelson, Dickie, Long and Van Dyken spoke in favor of the amendment, and Representatives Niemi and Pruitt spoke against it.

Mr. Hastings spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to House Bill No. 1355, and the amendment was not adopted by the following vote: Yeas, 47; nays, 48; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Excused: Representatives Armstrong, Bond, Fuhrman - 3.

House Bill No. 1355 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1334, by Representatives Powers, Fisher, Smitherman, Broback, Sayan, Johnson, Fisch, Schoon, Crane, Allen, Walk, Ebersole, Vekich, Burns, Gallagher, Wang, Kaiser, Todd, Zellinsky, Silver, Dellwo and Grimm

Waiving community college fees for certain unemployed persons.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 1334 was substituted for House Bill No. 1334, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1334 was read the second time.

Ms. L. Smith moved adoption of the following amendment:

On page 2, line 14 after "Title 50 RCW" insert ", or is physically handicapped as defined under RCW 46.16.380, or is legally blind"

Representatives L. Smith, Vander Stoep and Lewis spoke in favor of the amendment, and Representatives Burns and Sutherland spoke against it.

Mr. Barrett demanded an electric roll call vote and the demand was sustained.

Representative Powers spoke against the amendment, and Representatives Prince, Brough and G. Nelson spoke in favor of it.

Representatives Vander Stoep and L. Smith spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative L. Smith to Substitute House Bill No. 1334, and the amendment was not adopted by the following vote: Yeas, 46; nays, 49; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 49.

Excused: Representatives Armstrong, Bond, Fuhrman - 3.

Substitute House Bill No. 1334 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 30, 1984

HB 1230 Prime Sponsor, Representative Kreidler: Adopting the criminal justice information act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative G. Nelson.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1238 Prime Sponsor, Representative Galloway: Revising the laws regulating schools for the deaf and blind. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Dickie, Ebersole, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Rust, Taylor and Todd.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1293 Prime Sponsor, Representative Egger: Extending the provisional status period for newly-hired certificated employees. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; Armstrong, Betzoff, Chandler, Dickie, Egger, Fuhrman, Haugen, Holland, Johnson, Long and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives P. King, Vice Chair; Appelwick, Ebersole, Heck, Rust and Todd.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1297 Prime Sponsor, Representative Kreidler: Permitting replacement of inactive members of the state centennial commission and establishing financial procedures for the commission. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Kaiser, R. King, Nealey, D. Nelson, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Bond, Johnson, Lux, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1346 Prime Sponsor, Representative Moon: Modifying jurisdiction of water and sewer districts by city acquisition. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:
 On page 1, line 7 after "ordinance," insert "all or a portion of the"
 On page 1, line 10 after "city" insert "and within the service area assumed"
 On page 2, line 10 after "city" insert "and within the service area assumed"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luvan.

Absent: Representative Hine.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1384 Prime Sponsor, Representative Moon: Modifying refunding bond procedures for certain governmental entities. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luvan.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1422 Prime Sponsor, Representative Burns: Placing student representatives on the governing boards of state institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Crane, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Sutherland and Tanner.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Brough, Prince, Silver, Struthers and Vander Stoep.

Absent: Representative Fiske.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1531 Prime Sponsor, Representative Grimm: Modifying provisions on flooding. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Isaacson, Smitherman, Todd, and Van Dyken.

Absent: Representative Hine.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE BILL NO. 1174 was rereferred from Committee on Rules to Committee on Ways & Means.

On motion of Mr. Heck, HOUSE BILL NO. 1476 was rereferred from Committee on Higher Education to Committee on Judiciary.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-120, by Representatives Wilson and Haugen

WHEREAS, Steven Faulkner of Stanwood saved the life of Delores Jessup on February 4, 1983 by swimming to her sinking vehicle in the Skagit River, removing her and bringing her to shore; and

WHEREAS, The Jessup vehicle was in the river as a result of an accident on Highway 530; and

WHEREAS, Mr. Faulkner was awarded the Carnegie Medal, a national award recognizing heroism above and beyond the call of duty; and

WHEREAS, Mr. Faulkner has received a special citation of appreciation from the Washington State Patrol; and

WHEREAS, Mr. Faulkner believes his action was fulfilling an obligation as a citizen and has been very modest and unassuming about the incident;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commends Steven Faulkner for his actions in saving the life of Delores Jessup; and

BE IT FURTHER RESOLVED, That this House commend Steven Faulkner for being awarded the Carnegie Medal, an honor much deserved.

Mr. Wilson moved adoption of the resolution.

Representatives Wilson and Haugen spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Heck, the House advanced to the eleventh order of business.

POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, inasmuch as Reed's Rule 58 talks about committees and states '...that the committee is the eye and ear and hand, and very often the brain, of the assembly,' and inasmuch as this body has adopted Rule 14(D) that says that we shall adjourn at 10:00 p.m., I notice on the calendar this week that at least one committee, a committee that I'm a member of, Energy & Utilities, has meetings scheduled until 11:00 p.m. If the committees are the eyes, ears and so forth of this body, I wonder why we would allow them to meet beyond a time that this body thinks is prudent to adjourn?"

The Speaker: "Representative Hastings, as you know we have been attempting to expedite the session and adjourn in sixty days. We certainly don't want to impede the committee process. My understanding is that Local Government Committee came up to this problem the other day and they decided to vote on it. I don't, personally, believe the rule passed applies to committees, but I would be happy to talk about it. I really don't think it applies to committees."

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, do the rules of the House apply to rules of the committees?"

The Speaker: "Representative Nelson, we were dealing with a specific case. We'll do others as they may arise."

MOTION

On motion of Mr. Heck, the House adjourned until 1:30 p.m., Wednesday, February 1, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-FOURTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, February 1, 1984

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Frankie Nolte and Shannon Ledesma. Prayer was offered by The Reverend David Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 31, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3194,
 ENGROSSED SENATE BILL NO. 3507,
 ENGROSSED SENATE BILL NO. 3521,
 SECOND SUBSTITUTE SENATE BILL NO. 3617,
 SUBSTITUTE SENATE BILL NO. 3827,
 SENATE BILL NO. 3834,
 SUBSTITUTE SENATE BILL NO. 4274,
 SENATE BILL NO. 4286,
 SUBSTITUTE SENATE BILL NO. 4287,
 SUBSTITUTE SENATE BILL NO. 4288,
 SENATE BILL NO. 4290,
 SENATE BILL NO. 4345,
 SENATE BILL NO. 4460,
 SENATE CONCURRENT RESOLUTION NO. 134,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 140,
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 147,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HCR 40 by Representatives Sutherland, L. Smith, Tanner, Galloway, J. King, Heck, Monohon, McMullen, B. Williams, Locke and Dellwo

Directing the Attorney General to initiate legal action for relief from Oregon's income tax laws.

Referred to Committee on Rules

SSB 3194 by Committee on Transportation (originally sponsored by Senators Peterson, Guess and Hansen - by Department of Licensing request)

Authorizes department to destroy vehicle license renewal applications upon entering the information contained on them into the computer system.

Referred to Committee on Transportation

ESB 3507 by Senators Hurley, Talmadge, Warnke and Hughes

Modifying provisions relating to gubernatorial appointments.

Referred to Committee on State Government

- ESB 3521 by Senators Jones, Warnke, Owen, Bluechel and Zimmerman
 Requiring liquor given to a minor by his parents to be consumed in the presence or on the premises of the parents.
 Referred to Committee on Commerce & Economic Development
- 2SSB 3617 by Committee on Social & Health Services (originally sponsored by Senators McManus, Metcalf, Rinehart, Bender, Owen and Goltz)
 Providing for an alcohol awareness program.
 Referred to Committee on Social & Health Services
- SSB 3827 by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Benitz, Goltz and Deccio)
 Requiring that one member of Washington's delegation to the Pacific Northwest Electric Power and Conservation Planning Council be from eastern Washington.
 Referred to Committee on Energy & Utilities
- SB 3834 by Senators Bottiger, Haley, Moore, Bender and Wojahn
 Equalizing the authority of municipalities to impose local sales taxes.
 Referred to Committee on Ways & Means
- SSB 4274 by Committee on Commerce & Labor (originally sponsored by Senators Woody and Bender)
 Revising the regulation of pawnbrokers and second-hand dealers.
 Referred to Committee on Commerce & Economic Development
- SB 4286 by Senators Vognild, Quigg and Wojahn - by Gambling Commission request
 Repealing provisions relating to special taxes on coin-operated devices.
 Referred to Committee on Commerce & Economic Development
- SSB 4287 by Committee on Transportation (originally sponsored by Senators Barr, Thompson, Zimmerman and Peterson)
 Permitting seventh-class counties to have a part-time road engineer.
 Referred to Committee on Transportation
- SSB 4288 by Committee on Transportation (originally sponsored by Senators Barr, Thompson, Zimmerman, Patterson, Hansen and Peterson)
 Restricting a limitation on rural arterial funds.
 Referred to Committee on Transportation
- SB 4290 by Senators Gaspard, Hansen, Goltz, Barr and Benitz
 Exempting fish farming from excise taxation.
 Referred to Committee on Ways & Means
- SB 4345 by Senators Vognild, Newhouse, Wojahn and Talmadge - by Employment Security Department request
 Providing for eligibility for unemployment compensation for persons receiving crime victims compensation.
 Referred to Committee on Labor
- SB 4460 by Senators Peterson and Patterson
 Confirming the authority of the department of transportation to sell and lease back state ferries for federal tax purposes.
 Referred to Committee on Transportation

SCR 134 by Senators McDermott and Shinpoch

Establishing a joint interim committee on public retirement.

Referred to Committee on Rules

SSCR 140 by Committee on Ways & Means (originally sponsored by Senators Wojahn, Talmadge, McDermott, Woody and Fleming)

Establishing the special legislative comparable worth settlement team.

Referred to Committee on Rules

ESCR 147 by Senators Bauer, Zimmerman, Thompson, McDermott, Fuller, Conner, Goltz, Bottiger, Hughes, Shinpoch, Bender and Vognil

Urging the repeal of the 1983 Oregon income tax changes.

Referred to Committee on Rules

MOTION

On motion of Mr. Heck, the bills and resolutions listed on today's agenda were considered first reading under the fourth order of business, and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 30, 1984

HB 543 Prime Sponsor, Representative Ellis: Establishing priority of certain security interests in crops. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Dickie, Egger, Holland, Moon, Nealey, Prince and C. Smith.

Voting nay: Representative Ballard.

Absent: Representative Ebersole and Todd.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1341 Prime Sponsor, Representative Todd: Authorizing energy retrofittings as an allowable cost in nursing home cost reimbursement. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Broback, J. King, Lewis, McClure, Mitchell, Padden, Scott, Stratton, Wang, West and B. Williams.

Voting nay: Representatives Braddock and Niemi.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1547 Prime Sponsor, Representative Zellinsky: Establishing procedures for absentee voters unable to vote during the normal period. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Patrick, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1548 Prime Sponsor, Representative Fisch: Making voter registration services available in state offices. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Patrick, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

January 30, 1984

HB 1581 Prime Sponsor, Representative Rust: Authorizes regulation of dangerous waste disposition by department of ecology. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lewis, Patrick, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Allen, Brekke, Clayton and Lux.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1655 Prime Sponsor, Representative Belcher: Establishing a child care demonstration project for state employees. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Johnson, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Voting nay: Representative Nealey.

Absent: Representatives Bond and Taylor.

Passed to Committee on Rules for second reading.

January 31, 1984

HJM 37 Prime Sponsor, Representative D. Nelson: Requesting the United States grant safe haven status to refugees from El Salvador and Guatemala. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Bond and Taylor.

Passed to Committee on Rules for second reading.

January 31, 1984

HJM 38 Prime Sponsor, Representative D. Nelson: Requesting modification of the U.S. foreign policy in Central America. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, R. King, Lux, D. Nelson, O'Brien, Sayan and Walk.

Voting nay: Representatives Hankins, Johnson, Kaiser, Nealey, Silver and J. Williams.

Absent: Representatives Bond and Taylor.

Passed to Committee on Rules for second reading.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
HOUSE CONCURRENT RESOLUTION NO. 35.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1083, by Committee on Ways & Means (originally sponsored by Representative Grimm)

Establishing the state economic and revenue forecasting council.

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

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1083, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Hankins, Nelson D, Sommers - 3.

Engrossed Substitute House Bill No. 1083, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1169, by Committee on Commerce & Economic Development (originally sponsored by Representatives Appelwick, Halsan, Niemi, Armstrong, Brough, Burns and Powers)

Modifying requirements pertaining to contests of chance.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1169, and the bill passed the House by the following vote: Yeas, 64; nays, 30; absent, 4; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Betzoff, Braddock, Brekke, Broback, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Schoon, Scott, Silver, Smith L, Smitherman, Stratton, Sutherland, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Addison, Allen, Barnes, Belcher, Bond, Brough, Cantu, Chandler, Dickie, Egger, Gallagher, Garrett, Hastings, Johnson, King P, King R, Long, Nealey, Nelson G, Padden, Sanders, Sayan, Schmidt, Smith C, Struthers, Tanner, Tilly, Van Luven, West, Williams J - 30.

Absent: Representatives Ballard, Hankins, Sommers, Taylor - 4.

Engrossed Substitute House Bill No. 1169, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1177, by Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Dellwo, Lewis, Braddock, Fiske, McClure, Niemi and B. Williams)

Authorizing preferred provider arrangements for health insurance.

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

Mr. Kreidler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Kreidler, can a preferred provider organization, under the terms of SHB 1177, avoid the mandated health benefits and offerings or exclude those health practitioners whose services are mandated for coverage or offering currently in Title 48?"

Mr. Kreidler: "No. The bill expressly provides that mandated offerings or benefits which are required by Title 48 are not affected, and that a PPO cannot discriminate against or among those health providers."

Mr. Lewis: "Can a preferred provider organization limit access to preferred providers for patients wishing to see them under the guise of utilization controls?"

Mr. Kreidler: "A preferred provider organization may have bona fide utilization standards, but may not unreasonably limit access to any preferred provider within the PPO for a patient desiring to use that provider."

Mr. Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1177, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1270, by Committee on Judiciary (originally sponsored by Representatives Todd, Crane, Schoon, Dellwo, Brough, Hine, Armstrong, Ebersole, Ellis, Heck, Garrett, Walk, R. King, Sayan, Appelwick, Charney, Powers, Tanner, Belcher, Galloway, Haugen, McMullen, Barnes, Patrick, Locke, D. Nelson and Grimm)

Revising mobile home landlord-tenant act.

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

Representatives Todd and Padden spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Padden yielded to question by Ms. Miller.

Ms. Miller: "Representative Padden, I have a question about the section that deals with the landlord notifying the tenant if he proposes a zoning change. In other words, maybe he wants to vacate the land for an industrial park. Is there any sort of time frame that protects the tenant for a certain period of months before they have to find another location? Does that fall in the twelve-month provision?"

Mr. Padden: "That is a different section of the bill than the twelve-month, but I would have to look that over more carefully to answer you. Perhaps Representative Todd might know a specific answer on that."

Ms. Miller: "Representative Todd, could you respond to that?"

Mr. Todd: "Quite quickly, Representative Miller, what the intent was that when you notify within five days there would be a certain period of time that is going to be needed to go through the whole zoning change procedure itself, so this would be a period that would probably approximate twelve months."

Ms. Miller: "There was a comment made that the utilities' bill could not be cut off by the owner, but are we assuming then that the individual units are not paying their own individual utility bills?"

Mr. Todd: "I think what the section says, on page 4, line 23, is that they cannot 'Charge to any tenant a utility fee in excess of actual utility costs or intentionally cause termination or interruption of any tenant's utility service...except when an interruption of a reasonable duration is required to make necessary repairs...'"

Ms. Miller: "So that doesn't preempt a utility district from collecting the bill from an individual if they are contracting with them?"

Mr. Todd: "No."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1270, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1270, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1334, by Committee on Higher Education (originally sponsored by Representatives Powers, Fisher, Smitherman, Broback, Sayan, Johnson, Fisch, Schoon, Crane, Allen, Walk, Ebersole, Vekich, Burns, Gallagher, Wang, Kaiser, Todd, Zellinsky, Silver, Dellwo and Grimm)

Waiving community college fees for certain unemployed persons.

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

Ms. Powers spoke in favor of passage of the bill, and Ms. Schmidt spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1334, and the bill passed the House by the following vote: Yeas, 88; nays, 8; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brække, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bond, Cantu, Clayton, Dickie, Fuhrman, Schmidt, West, Williams J - 8.

Absent: Representatives Sanders, Tilly - 2.

Substitute House Bill No. 1334, having received the 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

It was my intent to vote in favor of Substitute House Bill No. 1334 today. I was off the floor talking with a constituent when the vote was taken.

PAUL SANDERS, 48th District.

SUBSTITUTE HOUSE BILL NO. 1439, by Committee on Labor, (originally sponsored by Representatives Fisch, R. King, Barnes, Patrick, Dellwo, Fisher, Sayan and Long)

Modifying provisions relating to unemployment compensation.

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

Mr. Fisch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1439, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1439, having received the 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 39, by Representatives Van Dyken, Moon, Hine, Brough, Haugen, Allen, Ebersole, Ballard, Todd, Van Luven, Charnley, Chandler, Smitherman, Broback, Garrett, Egger and Grimm

Establishing a joint select committee to review laws and policies related to community growth and development.

The resolution was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Van Dyken, Moon and Brough spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 39, and the resolution was adopted by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Concurrent Resolution No. 39, having received the constitutional majority, was declared adopted.

HOUSE BILL NO. 1509, by Representatives Tanner, L. Smith, J. King, Struthers, Heck, Sutherland, Galloway, Hastings, Appelwick, Hankins, O'Brien, Bond, Wang, Barnes, Armstrong, Betzoff, Jacobsen, Schmidt, Braddock, Walk, Schoon, D. Nelson, Kaiser, Sayan, Rust, Smitherman, Ballard, Monohon, Fisher, Gallagher, Locke, Powers, R. King, Burns, McMullen, Pruitt, Crane, Stratton, Egger, Dellwo, Zellinsky, Garrett, Sommers, Ellis, Scott, Belcher, Todd, Lux, Grimm, Isaacson, J. Williams, Brough, Dickie, C. Smith, Prince, Clayton, Van Luven, Patrick, Chandler, Fuhrman, Padden, Cantu, West, Vander Stoep, Barrett, Ebersole, Tilly, Allen, Long, Holland, B. Williams, Miller, Johnson and Silver

Authorizing a county tax on nonresidents of the state employed in the county.

The bill was read the second time.

On motion of Mr. J. King, the following amendment by Representatives J. King, Hine, Ballard and Galloway was adopted:

On page 1, line 18 after the period insert "The county shall allocate to each city or town the amount of such taxes as are paid by nonresidents employed respectively in each such city or town."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1418, by Representatives Lux, Sanders, Dickie, P. King and Long

Prohibiting discriminatory practices by health maintenance organizations.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1418 was substituted for House Bill No. 1418, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1418 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1418, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1418, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1279, by Representatives Niemi, Betzoff, Belcher, Hankins, Silver, Braddock, Sanders, Holland, O'Brien and G. Nelson

Exempting the state convention and trade center from civil service.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 1279 was substituted for House Bill No. 1279, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1279 was read the second time.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher, Walk, Allen and Kreidler:

On page 6, after line 14, insert the following:

*NEW SECTION. Sec. 4. There is added to chapter 67.40 RCW a new section to read as follows:

The public nonprofit corporation shall consider the recommendation of the state committee on salaries whenever it fixes or changes the salary of its chief executive officer. The corporation may not fix or change the salary to an amount greater than that recommended by the committee. This section does not invalidate any salary fixed or changed prior to the effective date of this section.

Sec. 5. Section 20, chapter 87, Laws of 1980 as amended by section 21, chapter 163, Laws of 1982 and RCW 43.03.028 are each amended to read as follows:

(1) There is hereby created a state committee on salaries to consist of seven members, or their designees, as follows: The president of the University of Puget Sound; the president of Washington State University; the chairperson of the State Personnel Board; the president of the Association of Washington Business; the president of the Pacific Northwest Personnel Managers' Association; the president of the Washington State Bar Association; and the president of the Washington State Labor Council. If any of the titles or positions mentioned in this subsection are changed or abolished, any person occupying an equivalent or like position shall be qualified for appointment by the governor to membership upon the committee.

(2) The committee shall study the duties and salaries of the directors of the several departments and the members of the several boards and commissions of state government, who are subject to appointment by the governor or whose salaries are fixed by the governor, and of the chief executive officers of the following agencies of state government:

The arts commission; the human rights commission; the board of accountancy; the board of pharmacy; the capitol historical association and museum; the eastern Washington historical society; the Washington state historical society; the interagency committee for outdoor recreation; the criminal justice training commission; the department of personnel; the state finance committee; the state library; the traffic safety commission; the horse racing commission; the commission for vocational education; the advisory council on vocational education; the public disclosure commission; the hospital commission; the state conservation commission; the commission on Mexican-American affairs; the commission on Asian-American affairs; the state board for volunteer firemen; the urban arterial board; the data processing authority; the public employees relations commission; the forest practices appeals board; the public nonprofit corporation created under chapter 67.40 RCW to carry out the law providing for the state convention and trade center; and the energy facilities site evaluation council.

The committee shall report to the governor or the chairperson of the appropriate salary fixing authority at least once in each fiscal biennium on such date as the governor may designate, but not later than seventy-five days prior to the convening of each regular session of the legislature during an odd-numbered year, its recommendations for the salaries to be fixed for each position.

(3) The committee shall also make a study of the duties and salaries of all state elective officials, including members of the supreme, appellate, superior, and district courts and members of the legislature and report to the governor and the president of the senate and the speaker of the house not later than sixty days prior to the convening of each regular session of the legislature during an odd-numbered year its recommendation for the salaries to be established for each position. Copies of the committee report to the governor shall be provided to the appropriate standing committees of the house and senate upon request.

(4) Committee members shall be reimbursed by the department of personnel for travel expenses under RCW 43.03.050 and 43.03.060.

Renumber the sections consecutively.

Representatives Belcher, Appelwick and Van Luven spoke in favor of the amendment, and Representatives Silver, Sanders, Berozoff and O'Brien spoke against it.

Ms. Belcher spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Belcher and others to Substitute House Bill No. 1279, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Dickie, Egger, Ellis, Fisch, Fisher, Galloway, Grimm, Halsan, Hankins, Heck, Jacobsen, Kaiser, King R. Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D. Powers, Pruitt, Rust, Sayan, Scott, Smith L. Sutherland, Tanner, Todd, Van Luven, Vekich, Walk, Wang, Williams B. and Mr. Speaker - 44.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Ebersole, Fiske, Fuhrman, Gallagher, Garrett, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, King J, King P, Lewis, Long, Mitchell, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson, Zellinsky - 54.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1279, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Belcher, Moon - 2.

Substitute House Bill No. 1279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1163, by Representatives Lux, Pruitt, D. Nelson, Burns and Todd

Prohibiting consumer credit charges on new transactions before the next billing cycle.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1163 was substituted for House Bill No. 1163, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1163 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Schmidt spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1163, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Clayton - 2.

Absent: Representatives Dellwo, King R, Nelson D - 3.

Substitute House Bill No. 1163, having received the 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 would like the record to show that I would have voted "Yes" on Substitute House Bill No. 1163, but I was away from my desk.

DENNIS DELLWO, 3rd District.

HOUSE BILL NO. 1219, by Representatives R. King, Allen, Fisher, Miller, Sayan, Brekke, Fisch, Burns, Lux, McMullen and D. Nelson

Establishing collective bargaining procedures for community college employees.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1564, by Representatives Kreidler, Wang, Garrett and Powers
Regulating a continuation and conversion of insurance coverage.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1564 was substituted for House Bill No. 1564, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1564 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1564, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1564, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1369, by Representatives O'Brien, R. King, Sayan, Vekich, Silver, Schmidt, Prince, Niemi, Hankins, D. Nelson, Gallagher and Tanner

Creating a state medal of merit.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 19th Day, January 27, 1984.)

On motion of Ms. Niemi, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives O'Brien and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1369, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland,

Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Moon - 1.

Engrossed House Bill No. 1369, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1526, by Representatives Scott, Lewis, Kreidler, Wang and Isaacson (by Department of Social and Health Services request)

Modifying child placement and review hearings.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Scott and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1526, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1526, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 761, by Representatives Pruitt, Tanner, Charnley and Wang

Extending voter registration to ten days before the election.

The bill was read the second time. Mr. Pruitt moved that Second Substitute House Bill No. 761 be substituted for House Bill No. 761 and the second substitute bill be placed on the calendar for second reading.

Mr. Barrett spoke against the motion, and Mr. Pruitt spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that Second Substitute House Bill No. 761 be substituted for House Bill No. 761, and the motion was carried by the following vote: Yeas, 53; nays, 45; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Second Substitute House Bill No. 761 was read the second time.

On motion of Mr. Wang, the following amendment was adopted:

On page 1, line 8 after "the" strike "Friday" and insert "Tuesday"

Mr. Nealey moved adoption of the following amendments:

On page 1, line 11 strike ", or to any voter registrar specifically designated by the county auditor."

On page 1, line 13 strike "or any specifically designated voter registrar"

On page 1, line 18 following "registration." strike all material through "ballot." on line 22.

Mr. Nealey spoke in favor of the amendments, and Mr. Pruitt spoke against them.

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Pruitt, what we are talking about here, and in your remarks you said 'the auditor or his designee,' as in King County, would appoint, I assume, various registrars to carry this out. I guess what concerns me is that it seems to me that he could limit that number. Could you tell me what sort of process the auditor or his designee would go through to limit whomever would be a special registrar?"

Mr. Pruitt: "To limit the activities of that registrar?"

Mr. Hastings: "According to this language, as I read it, he can appoint any registrar but that registrar has to be specifically designated. The implication that arises from that is not every registrar will participate in this. What process would the auditor go through to specifically designate and why would you, by implication, limit certain registrars?"

Mr. Pruitt: "The process would be a process chosen by those auditors--which ones were to be chosen and specifically designated. That auditor or that official would make that choice up to their judgment as to whether or not they felt a person would be a good registrar specifically designated."

Mr. Hastings spoke in favor of the amendments, and Mr. Nealey again spoke in favor of them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Nealey to Second Substitute House Bill No. 761, and the amendments were not adopted by the following vote: Yeas, 45; nays, 53; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Mr. Hastings moved adoption of the following amendment:

On page 1, line 22 following "ballot." insert "No special absentee ballot shall be voted on the premises where the individual receives such ballot from a voter registrar specifically designated by the county auditor."

Representatives Hastings and West spoke in favor of the amendment, and Mr. Pruitt spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to Second Substitute House Bill No. 761, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince,

Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Mr. Barnes moved adoption of the following amendment:

On page 2, following line 19 insert:

"The county auditor shall prepare lists of persons issued special absentee ballots and distribute them so as to prevent a person from voting by special absentee ballot and also at the polling place where the voter was previously registered."

Mr. Barnes spoke in favor of the amendment and Mr. Pruitt spoke against it.

Mr. Barnes spoke again in favor of the amendment.

The amendment was not adopted.

Second Substitute House Bill No. 761 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 31, 1984

HB 69 Prime Sponsor, Representative Wang: Providing for Martin Luther King, Jr.'s birthday as a state and school holiday. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Johnson, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan and Silver.

Voting nay: Representatives Hankins, Nealey, Walk and J. Williams.

Absent: Representatives Bond and Silver.

Passed to Committee on Rules for second reading.

January 31, 1984

SHB 538 Prime Sponsor, Committee on Transportation: Regulating conduct on buses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following line 24 insert a new section as follows:

"Sec. 2. Section 4, chapter 76, Laws of 1974 ex. sess. and RCW 46.04.355 are each amended to read as follows:

Municipal transit vehicle includes every motor vehicle, street car, train, trolley vehicle, and any other device, which (1) is capable of being moved within, upon, above, or below a public highway, (2) is owned or operated by a city, county, county transportation authority, public transportation benefit area, or metropolitan municipal corporation within the state, and (3) is used for the purpose of carrying passengers together with incidental baggage and freight on a regular schedule."

On page 1, line 1 of the title after "buses;" insert "amending section 4, chapter 76, Laws of 1974 ex. sess. and RCW 46.04.355;"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Clayton, Fisch, Fisher, Garrett, Hankins, Locke, McMullen, Mitchell, Powers, Prince, C. Smith, Van Luven, J. Williams, Wilson and Zellinsky.

Voting nay: Representative Vekich.

Absent: Representatives Gallagher and Mitchell.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1137 Prime Sponsor, Representative Kreidler: Authorizing demonstration projects on respite care services. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill by Committee on Ways and Means be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond, Hastings and Heck.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1282 Prime Sponsor, Representative Zellinsky: Revising qualifying procedures for indigent candidates. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Jacobsen, Long, Miller, Patrick, Scott, Sommers, Vander Stoep and Zellinsky.

Voting nay: Representative Fisher.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1373 Prime Sponsor, Representative Wang: Developing an environmental profile and assisting businesses to locate in Washington state. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Powers, Schoon, Silver, L. Smith, Smitherman, Van Dyken, Walk and B. Williams.

Voting nay: Representatives Padden, Schmidt, Stratton and Wilson.

Absent: Representatives Niemi and Tilly.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1409 Prime Sponsor, Representative Prince: Including driving records of owner-operators within the employment driving record. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23 after "employee" strike "~~((of another))~~" and insert "of another or an owner-operator"

On page 1, line 25 after "employee" strike "~~((of another))~~" and insert "of another or an owner-operator"

On page 1, beginning on line 27 after "employee" strike "~~((of another))~~" and insert "of another or an owner-operator"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Fisher, Garrett, Hankins, Locke, Mitchell, Powers, Prince, C. Smith, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Gallagher and Mitchell.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1600 Prime Sponsor, Representative Brekke: Revising provisions relating to the veterans' home and the soldiers' home. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill by Committee on Ways & Means be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Monohon.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1700 Prime Sponsor, Representative Schmidt: Providing standards for federal employees in state emergency medical care and transportation.
Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Clayton, Fisch, Fisher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representatives Fisch, Gallagher, Mitchell and C. Smith.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Thursday, February 2, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-FIFTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, February 2, 1984

The House was called to order at 1:00 p.m. by the Speaker (Mr. Charnley presiding). The Clerk called the roll and all members were present except Representative Schoon, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Roger Bianchi and Paul Witte. Prayer was offered by The Reverend John Gretz, Minister of St. James' Episcopal Church of Kent.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 1, 1984

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 35,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 1, 1984

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 3044,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3849,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4069,
 SENATE BILL NO. 4320,
 SENATE BILL NO. 4339,
 SUBSTITUTE SENATE BILL NO. 4367,
 SENATE BILL NO. 4398,
 SUBSTITUTE SENATE BILL NO. 4419,
 SUBSTITUTE SENATE BILL NO. 4449,
 SENATE BILL NO. 4514,
 SENATE BILL NO. 4642,
 SENATE BILL NO. 4787,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

ESB 3044 by Senators Gaspard, Metcalf and Goltz

Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials.

Referred to Committee on Higher Education

ESSB 3849 by Committee on Transportation (originally sponsored by Senators Warnke, Guess, Peterson, Bender and Metcalf)

Regulating conduct on buses.

Referred to Committee on Transportation

ESSB 4069 by Committee on Financial Institutions (originally sponsored by Senator Moore)

Modifying taxation of securities broker-dealers.

Referred to Committee on Ways & Means

- SB 4320 by Senators Wojahn and Sellar
 Authorizing persons eighteen years of age and older to service amusement devices on licensed premises.
 Referred to Committee on Commerce & Economic Development
- SB 4339 by Senators Peterson, Patterson, Goltz, Rinehart, Gaspard and Woody
 Modifying tuition and fees for institutions of higher education.
 Referred to Committee on Higher Education
- SSB 4367 by Committee on Natural Resources (originally sponsored by Senators Owen, Peterson, McManus, Metcalf, Quigg and Fuller)
 Facilitating cooperative fish and wildlife enhancement projects.
 Referred to Committee on Natural Resources
- SB 4398 by Senators Hansen, Patterson, Hughes, Bauer, Goltz, Fleming, Vognild, Newhouse and Gaspard
 Creating a provisional international marketing program for agricultural commodities and trade center.
 Referred to Committee on Commerce & Economic Development
- SSB 4419 by Committee on Agriculture (originally sponsored by Senators Goltz, Hansen and Benitz)
 Updating milk and milk product testing laws.
 Referred to Committee on Agriculture
- SSB 4449 by Committee on Social & Health Services (originally sponsored by Senators McManus, Kiskaddon, Deccio and Granlund)
 Modifying provisions on psychologist licensing.
 Referred to Committee on Social & Health Services
- SB 4514 by Senators Conner, Goltz, Vognild and Rinehart (by Emergency Commission on Economic Development request)
 Establishing a provisional center for international trade in forest products.
 Referred to Committee on Commerce & Economic Development
- SB 4642 by Senators Moore, Clarke, Bender and Bluechel
 Modifying provisions relating to mutual insurers.
 Referred to Committee on Financial Institutions & Insurance
- SB 4787 by Senators Goltz, Sellar, Moore and Deccio
 Modifying provisions relating to home health care.
 Referred to Committee on Financial Institutions & Insurance

REPORTS OF STANDING COMMITTEES

February 1, 1984

- HB 1118 Prime Sponsor, Representative Heck: Authorizing pollution control tax credits for certain approved pollution control facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Appelwick, Bond, Braddock, Brekke, Ellis, Hastings, Heck, Hine, J. King, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor and Tilly.

Voting nay: Representatives Sommers, Vice Chair; Addison, Brekke and Vander Stoep.

Absent: Representatives Cantu and Ellis.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1174 Prime Sponsor, Representative Rust: Regulating acid deposition pollution. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill by Committee on Ways & Means be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Cantu and Ellis.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1234 Prime Sponsor, Representative Jacobsen: Restricting the use of automated telephone dialing and message devices. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Hastings, Isaacson, Jacobsen, Locke, Long, Moon, Nealey, Pruitt, Scott and Sutherland.

Voting nay: Representatives Miller and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1235 Prime Sponsor, Representative Jacobsen: Requiring presale disclosures about telecommunications equipment. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Long, Miller, Moon, Pruitt, Scott, Sutherland and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Hastings, Isaacson and Nealey.

Voting nay: Representatives Barnes, Fuhrman, Hastings, Isaacson and Nealey.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1309 Prime Sponsor, Representative Egger: Providing for a migratory waterfowl stamp. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Haugen, Johnson, McMullen, Mitchell, Sanders, L. Smith, Sommers, Tanner, B. Williams and Wilson.

Voting nay: Representatives Fuhrman, Miller and Sutherland.

Absent: Representatives Sayan and Vekich.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1330 Prime Sponsor, Representative Braddock: Requiring a comprehensive state budgeting, accounting, and reporting system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 12 strike "1985" and insert "1987"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Brekke and Ellis.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1361 Prime Sponsor, Representative Sutherland: Establishing a program for voluntary low-income assistance contributions for P.U.D. customers. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Fuhrman, Hastings, Isaacson, Jacobsen, Locke, Long, Miller, Moon, Nealey, Pruitt, Scott and Sutherland.

Absent: Representatives Bond and Van Luven.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1367 Prime Sponsor, Representative Garrett: Authorizing health insurance coverage for local government retirees and dependents. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Sanders, Vekich, Wang and West.

Absent: Representative Monohon.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1402 Prime Sponsor, Representative Powers: Establishing a training program for liquor licensees to recognize and prevent intoxication. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 11 insert:

"NEW SECTION, Sec. 2. There is appropriated to the liquor control board, for the licensing and enforcement program, from the liquor revolving fund, for the biennium ending June 30, 1985, the sum of eighty-five thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act."

On page 1, line 3 of the title strike "and" and on line 4 of the title after "RCW" insert "; and making an appropriation"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Brekke, Cantu, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Braddock, Hastings, G. Nelson, Sanders and Struthers.

Absent: Representative Brekke.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1419 Prime Sponsor, Representative Lux: Modifying provisions relating to state employee group insurance programs. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Sanders, Vekich, Wang and West.

Absent: Representative Monohon.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1438 Prime Sponsor, Representative Brekke: Modifying provisions relating to dangerous wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lewis, Lux, Patrick, Pruitt, Van Dyken and J. Williams.

Voting nay: Representative Clayton.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1491 Prime Sponsor, Representative Lux: Relating to financial institutions. (t.o.) Reported by Committee on Rules

Referred from Rules Committee to Committee on Financial Institutions & Insurance.

January 31, 1984

HB 1519 Prime Sponsor, Representative Brekke: Extending aid to families with dependent children. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

Voting nay: Representatives Addison, Cantu, Hastings, G. Nelson, Sanders, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Struthers.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1543 Prime Sponsor, Representative P. King: Providing fees for screening students for preadmission to school. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Ebersole, Haugen, Heck, Holland, Rust and Todd.

Voting nay: Representatives Betrozoff, Chandler, Dickie, Egger, Fuhrman, Johnson, Long, Schoon and Taylor.

Passed to Committee on Rules for second reading.

January 31, 1984

HB 1582 Prime Sponsor, Representative Hine: Extending funding for enforcement of DWI laws. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice-Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond Monohon and Struthers.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1620 Prime Sponsor, Representative Kreidler: Modifying provisions relating to group life insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Sanders, Vekich, Wang and West.

Absent: Representative Monohon.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1624 Prime Sponsor, Representative Cantu: Restricting access to drivers license records. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Powers, Prince, Schmidt, C. Smith, Vekich, Wilson and Zellinsky.

Absent: Representatives Betrozoff, Patrick, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1638 Prime Sponsor, Representative Belcher: Establishing a pilot-scale management assessment and training program. Reported by Committee on Rules

Referred from Rules Committee to Committee on Ways & Means.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 1355, by Representatives Niemi, Belcher, O'Brien, Johnson, Kreidler, Halsan and D. Nelson

Authorizing voluntary payroll deduction for political action committees by state employees.

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

Representatives Niemi, Kreidler, Ebersole and Moon spoke in favor of passage of the bill, and Representatives Silver, G. Nelson, Taylor, Broback, Barnes, Dickie and Van Dyken spoke against it.

Representatives Taylor and Barnes again opposed passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1355, and the bill passed the House by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representative Schoon - 1.

Engrossed House Bill No. 1355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 761, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Pruitt, Tanner, Charnley and Wang)

Establishing procedures for late registration and special absentee ballots.

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

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 761, and the bill passed the House by the following vote: Yeas, 70; nays, 27; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Allen, Ballard, Betzozoff, Bond, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Nealey, Nelson G, Padden, Prince, Schmidt, Smith C, Struthers, Taylor, Tilly, Van Dyken, West, Williams J, Wilson - 27.

Excused: Representative Schoon - 1.

Engrossed Second Substitute House Bill No. 761, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1219, by Representatives R. King, Allen, Fisher, Miller, Sayan, Brekke, Fisch, Burns, Lux, McMullen and D. Nelson

Establishing collective bargaining procedures for community college employees.

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

Representatives R. King, Lewis and Fisch spoke in favor of passage of the bill, and Representatives Clayton, Taylor, C. Smith, G. Nelson and Dickie spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1219, and the bill passed the House by the following vote: Yeas, 57; nays, 40; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Addison, Ballard, Barnes, Betzozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Excused: Representative Schoon - 1.

House Bill No. 1219, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1509, by Representatives Tanner, L. Smith, J. King, Struthers, Heck, Sutherland, Galloway, Hastings, Appelwick, Hankins, O'Brien, Bond, Wang, Barnes, Armstrong, Betzozoff, Jacobsen, Schmidt, Braddock, Walk, Schoon, D. Nelson, Kaiser, Sayan, Rust, Smitherman, Ballard, Monohon, Fisher, Gallagher, Locke, Powers, R. King, Burns, McMullen, Pruitt, Crane, Stratton, Egger, Dellwo, Zellinsky, Garrett, Sommers, Ellis, Scott, Belcher, Todd, Lux, Grimm, Isaacson, J. Williams, Brough, Dickie, C. Smith, Prince, Clayton, Van Luven, Patrick, Chandler, Fuhrman, Padden, Cantu, West, Vander Stoep, Barrett, Ebersole, Tilly, Allen, Long, Holland, B. Williams, Miller, Johnson and Silver

Authorizing a county tax on nonresidents of the state employed in the county.

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

Representatives Tanner, Struthers and L. Smith spoke in favor of passage of the bill, and Mr. Van Dyken spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1509, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 92.

Voting nay: Representatives Braddock, Moon, Nelson G, Van Dyken, and Mr. Speaker - 5.
Excused: Representative Schoon - 1.

Engrossed House Bill No. 1509, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Schoon appeared at the bar of the House.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1172, by Representatives Rust, Miller, Fisher, Brough, Jacobsen, Allen, McMullen, Kreidler, Lux, Charnley, Patrick and Brekke

Establishing state policy regarding management and use of the Milwaukee Road corridor.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1172 was substituted for House Bill No. 1172, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1172 was read the second time.

Mr. Chandler moved adoption of the following amendments by Representatives Chandler, Prince, Nealey and C. Smith:

On page 1, strike lines 15 through 19 and insert:

***NEW SECTION.** Sec. 2. Fee title to and control of that portion of the Milwaukee Road corridor beginning at the western terminus and extending for seventeen miles, shall be transferred by the department of natural resources to the state parks and recreation commission at no cost to the commission."

Beginning on page 2, line 35 strike all of section 5 and insert:

***NEW SECTION.** Sec. 5. (1) The department of natural resources shall offer to lease, and shall lease if a reasonable offer is made, all portions of the Milwaukee Road corridor under its control to the person who owns or controls the adjoining land for periods of ten years commencing with the effective date of this act. The leases shall follow standard department of natural resources leasing procedures, with the following exceptions:

(a) Annual rental rates shall not be more than one percent of the true and fair value of the leased land, except for commercial leases.

(b) The lessee may restrict public access.

(c) The right of renewal shall be to the current lessee, if he still owns or controls the adjoining lands.

(d) If two persons own or control opposite sides of the corridor, each person shall be eligible for equal portions of the available property.

(2) The department of natural resources has the authority to renew leases in existence on the effective date of this act."

Representatives Chandler and C. Smith spoke in favor of the amendments, and Ms. Rust spoke against them.

Mr. Barrett demanded an electric roll call vote and the demand was sustained.

Mr. Tilly spoke favor of the amendments.

Mr. Chandler spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Chandler and others to Substitute House Bill No. 1172, and the amendments were not adopted by the following vote: Yeas, 42; nays, 56; excused, 0.

Voting yea: Representatives Ballard, Barnes, Betzoff, Bond, Braddock, Broback, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Ellis, Fiske, Fuhrman, Garrett, Hankins, Hastings, Isaacson, Johnson, Lewis, Nealey, Nelson G, Niemi, Padden, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 42.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Brekke, Brough, Burns, Charnley, Crane, Ebersole, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, and Mr. Speaker - 56.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 22 after "trail" insert ", provided that a majority of county commissioners in which the trail lies approves of the parks and recreation commission plan for the management of the corridor as a recreational trail."

Mr. Tilly spoke in favor of the amendment, and Ms. Rust spoke against it.

The amendment was not adopted.

Mr. Lewis moved adoption of the following amendment:

On page 2, line 21 strike "cessionaires and"

Mr. Lewis spoke in favor of the amendment, and Representatives Rust and Tilly spoke against it.

The amendment was not adopted.

Mr. Prince moved adoption of the following amendment by Representatives Prince and C. Smith:

On page 3, after line 3 insert:

"NEW SECTION. Sec. 6. (1) The state of Washington shall be responsible for fences on Milwaukee Road property used for trails authorized by the state of Washington.

(2) The state of Washington shall be responsible for fires, and resulting damages to adjacent property, on Milwaukee Road property used for trails authorized by the state of Washington."

Renumber the remaining sections consecutively.

Representatives Prince, C. Smith and Nealey spoke in favor of the amendment, and Ms. Rust spoke against it.

Mr. Prince spoke again in favor of the amendment.

Mr. Barrett demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and C. Smith to Substitute House Bill No. 1172, and the amendment was adopted by the following vote: Yeas, 54; nays, 43; absent, 1; excused, 0.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Ellis, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Heck, Holland, Isaacson, Kreidler, Lewis, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 54.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Fisch, Fisher, Gallagher, Galloway, Grimm, Haugen, Hine, Jacobsen, Kaiser, King J, King P, King R, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Vekich, Wang, and Mr. Speaker - 43.

Absent: Representative Johnson - 1.

MOTION FOR RECONSIDERATION

Mr. Pruitt, having voted on the prevailing side, moved that the House now reconsider the vote by which the Prince/Smith amendment was adopted.

Representatives Pruitt, Rust and Brekke spoke in favor of the motion, and Representatives Wilson, Patrick and Prince spoke against it.

POINT OF INQUIRY

Mr. Prince yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Prince, I've asked several attorneys on the floor this question: If we, in subsection (2), say the state shall be responsible for fires and resulting damages to adjacent property, does that mean that the state assumes a total responsibility liability for damages and that we cannot then go after the party that caused that damage?"

Mr. Prince: "I'm not an attorney, but I do not believe that it means that you cannot go after the guilty party. I think it would be the state that would have to prosecute and would have to stand good for the situation and make sure it was taken care of. Without this amendment, my understanding is it would be the landowner who would have to try and find the guilty party and go to the expense of trying to receive some compensation. In the trail situation where it's so difficult to get to, the person would be long gone before you get to the fire, and it would be very difficult to enforce."

Mr. D. Nelson spoke in favor of the motion for reconsideration, and Representatives Ballard and Clayton spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Prince/C. Smith amendment was adopted to Substitute House Bill No. 1172, and the motion was lost by the following vote: Yeas, 47; nays, 51; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 47.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Monohon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 51.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 2, 1984

HB 977 Prime Sponsor, Representative Armstrong: Relating to driving while intoxicated. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Cantu, Crane, Padden, Schmidt, L. Smith and West.

Voting nay: Representatives Appelwick and Tilly.

Absent: Representatives Cantu, G. Nelson and L. Smith.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1416 Prime Sponsor, Representative P. King: Revising physical education requirements. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Armstrong, Betrozoff, Chandler, Dickie, Ebersole, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon, Taylor and Todd.

Absent: Representatives Appelwick and Todd.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1507 Prime Sponsor, Representative Hine: Prescribing minimum penalties for prostitution. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Padden, Schmidt, Tilly and West.

Voting nay: Representative Wang.

Absent: Representatives Cantu, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1517 Prime Sponsor, Representative McMullen: Modifying provisions relating to executive conflicts of interest. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Cantu, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House adjourned until 1:30 p.m., Friday, February 3, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-SIXTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, February 3, 1984

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laurie Briese and Andrew Clow. Prayer was offered by The Reverend David Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

February 2, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4350,

SENATE BILL NO. 4371,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4395,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4781,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

ESB 4350 by Senators McDermott, Zimmerman, Gaspard and Shinpoch (by Legislative Budget Committee request)

Deleting the requirement that LBC biennially report about educational clinics.

Referred to Committee on Education

SB 4371 by Senators Talmadge, Newhouse, Hemstad and Hughes

Deleting the requirement that executory contracts for the sale of real property be recorded.

Referred to Committee on Judiciary

ESSB 4395 by Committee on Education (originally sponsored by Senators Gaspard, Bauer, Lee, Rinehart, McDermott, McManus, Kiskaddon, Hurley, Peterson, Bender, Woody, Shinpoch, Conner, Wojahn and Bottiger)

Providing programs to promote and achieve educational excellence.

Referred to Committee on Education

ESSB 4781 by Committee on Education (originally sponsored by Senators Bauer, Benitz, Gaspard, McDermott, Haley, Bottiger, Bluechel, Rasmussen, Shinpoch, Lee, Zimmerman, Fleming, Vognild, Goltz, Kiskaddon and Hemstad)

Improving the quality of education.

Referred to Committee on Education

REPORTS OF STANDING COMMITTEES

February 2, 1984

HB 229 Prime Sponsor, Representative Charnley: Restricting smoking in public areas. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair, Dellwo, Vice

Chair, Ballard, Braddock, Broback, Mitchell, Padden, Scott, Stratton, Wang, West and B. Williams.

Voting nay: Representatives J. King and McClure.

Passed to Committee on Rules for second reading.

February 2, 1984

SHB 271 Prime Sponsor, Committee on Ways & Means: Modifying provisions relating to survivors' benefits under the state patrol retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Addison, Appelwick, Braddock, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Sommers, Vice Chair; Bond, Braddock, Brekke, Cantu, Hastings and Sanders.

Absent: Representatives Appelwick, J. King, Monohon and Taylor.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 593 Prime Sponsor, Representative Moon: Authorizing paid leave for employees of correctional institutions injured by assaults on the job. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. There is added to chapter 72.09 RCW a new section to read as follows:

(1) In recognition of the hazardous nature of employment in state correctional institutions, the legislature hereby provides a supplementary program to reimburse employees of the department of corrections for some of their costs attributable to their being the victims of inmate assaults. This program shall be limited to the reimbursement provided in this section.

(2) An employee is only entitled to receive the reimbursement provided in this section if the secretary of corrections, or the secretary's designee, finds that each of the following has occurred:

(a) An inmate has assaulted the employee and as a result thereof the employee has sustained injuries which have required the employee to miss days of work; and

(b) The assault cannot be attributable to any extent to the employee's negligence, misconduct, or failure to comply with any rules or conditions of employment.

(3) The reimbursement authorized under this section shall be as follows:

(a) The employee's accumulated sick leave days shall not be reduced for the workdays missed;

(b) For each workday missed for which the employee is not eligible to receive compensation under chapter 51.32 RCW, the employee shall receive full pay; and

(c) In respect to workdays missed for which the employee will receive or has received compensation under chapter 51.32 RCW, the employee shall be reimbursed in an amount which, when added to that compensation, will result in the employee receiving full pay for the workdays missed.

(4) Reimbursement under this section may not last longer than three hundred sixty-five consecutive days after the date of the injury.

(5) The employee shall not be entitled to the reimbursement provided in subsection (3) of this section for any workday for which the secretary, or the secretary's designee, finds that the employee has not diligently pursued his or her compensation remedies under chapter 51.32 RCW.

(6) The reimbursement shall only be made for absences which the secretary, or the secretary's designee, believes are justified.

(7) While the employee is receiving reimbursement under this section, he or she shall continue to be classified as a state employee and the reimbursement amount shall be considered as salary or wages.

(8) All reimbursement payments required to be made to employees under this section shall be made by the department of corrections. The payments shall be considered as a salary or wage expense and shall be paid by the department in the same manner and from the same appropriations as other salary and wage expenses of the department.

(9) Should the legislature revoke the reimbursement authorized under this section or repeal this section, no affected employee is entitled thereafter to receive the reimbursement as a matter of contractual right."

On page 1, line 2 of the title, strike "41.06" and insert "72.09"

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Johnson, Silver and Taylor.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 914 Prime Sponsor, Representative West: Changing the mechanics' and materialmen's lien laws to provide increased protection for subcontractors and lien claimants. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Lewis, Locke, Padden, L. Smith, Tilly and West.

Voting nay: Representatives G. Nelson, Schmidt, L. Smith and Wang.

Absent: Representative Cantu.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1125 Prime Sponsor, Representative McClure: Including certain children in the definition of acutely mentally ill. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1134 Prime Sponsor, Representative Haugen: Revising voting and election procedures for special districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Isaacson, Smitherman, Todd, Van Dyken and Van Luvan.

Absent: Representative Hine.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1184 Prime Sponsor, Representative Wang: Providing for admissibility of evidence by witness under age of ten. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Cantu, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1246 Prime Sponsor, Representative Galloway: Relating to improving excellence in education. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

Absent: Representatives Addison, Bond, Cantu, Fiske, Hastings, G. Nelson, Sanders, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1258 Prime Sponsor, Representative Ebersole: Revising the definition of veterans eligible for certain benefits. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 4, after line 7 insert the following new section:

"NEW SECTION. Sec. 5. There is added to chapter 73.08 RCW a new section to read as follows:

For the purposes of RCW 73.08.010, RCW 73.08.060, RCW 73.08.070, and RCW 73.08.080, a 'campaign badge or ribbon' shall include, but not be limited to, any campaign medal, armed forces expeditionary medal, navy expeditionary medal, or marine corps expeditionary medal."

On page 1, line 6 of the title after "73.08.070;" strike "and" and on line 8 after "73.08.080" insert "; and adding a new section to chapter 73.08 RCW"

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representatives Bond, Hankins, R. King and Lux.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1266 Prime Sponsor, Representative Kreidler: Creating a memorial honoring Washington residents who died or are missing in action in southeast Asia. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Johnson and Taylor.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1288 Prime Sponsor, Representative Appelwick: Authorizing awards of certain costs in mandatory arbitration proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Cantu.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1295 Prime Sponsor, Representative Dellwo: Requiring a report on dam safety. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lux, Patrick, Pruitt, Van Dyken and J. Williams.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1311 Prime Sponsor, Representative Galloway: Requiring preschool education for handicapped children. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair, P. King, Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Ebersole, Egger, Heck, Holland, Johnson, Long, Rust, Taylor and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Dickie, Fuhrman and Schoon.

Voting nay: Representatives Dickie, Fuhrman, Haugen and Schoon.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1353 Prime Sponsor, Representative Haugen: Clarifying requirements for voter approval of tax levies. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Egger, Garrett, Grimm, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Ballard, Ebersole, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1365 Prime Sponsor, Representative Zellinsky: Granting DSHS authority to shut down hazardous water systems. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1380 Prime Sponsor, Representative Hine: Modifying provisions relating to boundary review boards. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Brough and Van Dyken.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1395 Prime Sponsor, Representative Sayan: Providing certain documents from county auditors to veterans without charge. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Broback, Brough, Chandler, Charnley, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd and Van Luven.

Voting nay: Representatives Egger and Van Dyken.

Absent: Representatives Ballard, Ebersole and Hine.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1400 Prime Sponsor, Representative Galloway: Authorizing the school district board of directors to act as the associated student body in certain schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Dickie, Ebersole, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon, Taylor and Todd.

Absent: Representative Appelwick.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1415 Prime Sponsor, Representative Miller: Authorizing local voters' pamphlets. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Patrick, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1435 Prime Sponsor, Representative Hankins: Providing for classification of certain consolidations of noncharter code cities. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Egger, Garrett, Grimm and Hine.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1511 Prime Sponsor, Representative Smitherman: Providing for tourism development. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Smitherman, Stratton and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Barrett, Brough, Holland, Padden, Schmidt, Silver, Van Dyken, B. Williams and Wilson.

Voting nay: Representatives Barrett, Brough, Holland, Padden, Schmidt, Silver, Tilly, Van Dyken, B. Williams and Wilson.

Absent: Representatives Schoon and L. Smith.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1514 Prime Sponsor, Representative Kreidler: Removing juveniles from adult jails. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1515 Prime Sponsor, Representative Belcher: Limiting the destruction of juvenile offenders' medical and dental records. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representative Niemi.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1520 Prime Sponsor, Representative Hine: Modifying provisions relating to election costs. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment: On page 1, after line 27 add a new section as follows:

"NEW SECTION. Sec. 2. This act shall take effect on January 1, 1985."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Patrick, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1524 Prime Sponsor, Representative D. Nelson: Creating an energy account. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Armstrong, Barnes, Fuhrman, Gallagher, Isaacson, Jacobsen, Locke, Long, Miller, Nealey, Pruitt, Sutherland and Van Luven.

Absent: Representatives Todd, Vice Chair; Bond, Hastings, Moon, Scott and Van Luven.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1539 Prime Sponsor, Representative Crane: Providing for the payment of costs of legal services for juveniles represented by publicly-funded counsel. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Cantu, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1558 Prime Sponsor, Representative Armstrong: Prohibiting teaching, exhibiting, or demonstrating the use of or using firearms in civil disorders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, G. Nelson, Padden, Schmidt, L. Smith, Tilly and West.

Voting nay: Representatives Locke and Wang.

Absent: Representative Cantu.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1565 Prime Sponsor, Representative Belcher: Modifying provisions relating to strip searches. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Padden, L. Smith, Tilly and Wang.

Voting nay: Representative West.

Absent: Representatives Cantu, G. Nelson and L. Smith.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1589 Prime Sponsor, Representative Brekke: Developing a work incentive program demonstration project proposal. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, West and B. Williams.

Voting nay: Representatives Kreidler, Chair; Dellwo, Vice Chair; and Wang.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1605 Prime Sponsor, Representative Kreidler: Requiring the secretary of social and health services to investigate certain persons and agencies regarding care and treatment of children, expectant mothers, and developmentally disabled persons. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1627 Prime Sponsor, Representative Locke: Revising child support provisions and providing new collection mechanism. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Cantu.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1649 Prime Sponsor, Representative J. King: Expanding ex parte communications in quasi-judicial proceedings. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Voting nay: Representative Kaiser.

Absent: Representatives Hankins, Johnson and Taylor.

Passed to Committee on Rules for second reading.

February 1, 1984

HB 1653 Prime Sponsor, Representative Smitherman: Modifying provisions relating to state fiscal matters. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1666 Prime Sponsor, Representative Allen: Authorizing professionally designated real estate brokers to appraise certain public properties before the properties are sold. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Brough, Charnley, Garrett, Grimm, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Ballard, Broback, Chandler, Ebersole, Egger, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1668 Prime Sponsor, Representative Isaacson: Prohibiting the sale of motor vehicle fuel containing alcohol unless the dispensing device is labeled. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Absent: Representative Sutherland

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1687 Prime Sponsor, Representative Locke: Penalizing custodial interference. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Cantu, Locke and G. Nelson.

Passed to Committee on Rules for second reading.

February 2, 1984

HJM 34 Prime Sponsor, Representative Tilly: Petitioning Congress to adopt the "Taxpayer Antitrust Enforcement Act of 1983". Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Cantu, G. Nelson and L. Smith.

Passed to Committee on Rules for second reading.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I believe that HB 1246, which appears on today's fifth order calendar, is appearing there in error. House Bill 1246 failed to receive a

majority vote of the committee and no reconsideration of that failure as required under House Rule 21 and Reed's Rule 209 and Rule 74, were given."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Barrett, in connection with your point of order relative to whether or not a majority of the committee on Ways & Means signed the Do Pass report, all the Speaker has before him is a signed report by fifteen members of the committee, which is more than a majority because the total membership is twenty-six. Evidence before us states that it is adequately reported by the majority of the members of the Ways & Means Committee."

Mr. Barrett: "My point, Mr. Speaker, is not whether or not fifteen members of the committee signed the report. My point of order is that no move for reconsideration was properly made in accordance with House rules."

The Speaker (Mr. O'Brien presiding): "It appears, Representative Barrett, that your question on the motion to reconsider might have been required or it might not have been required. We don't have anything like that before us. There's nothing in writing to determine whether your question is right or wrong. All we have is the report of the standing committee, which supplies us with the necessary approval of the majority of the members of the committee."

Mr. Barrett: "I respect that the document before you appears to be in order, however, you and I both are at a disadvantage in that we can't be in every committee meeting to determine whether or not every committee is properly following procedure, but you have us at a very distinct disadvantage, Mr. Speaker, when you will not tell us when we go to a committee meeting; they have to follow any rules, especially the rules of the House to which we are so accustomed. My question, Mr. Speaker, and I will now put it directly, if I may, are the committees advised to follow the rules of the House when we are conducting business away from these chambers?"

The Speaker (Mr. O'Brien presiding): "Representative Barrett, I know you have real good intentions in asking the Speaker whether or not the rules of the House govern the respective committees. The question to a great degree right now is rather moot. We don't have that before us. This really is not a parliamentary class, and so I am going to rule that your point is not well taken."

Mr. Barrett: "Mr. Speaker, I appreciate that you and I have sat through the parliamentary class. I now rise to a point of order to challenge the validity of the report which you have in front of you. Our records, taken at that same meeting, indicate that when this came up for a vote it did not have the necessary majority to pass it out."

The Speaker (Mr. O'Brien presiding): "Mr. Barrett, apparently you challenge the ruling of the Speaker. Do you want to appeal the decision of the Speaker?"

Mr. Barrett: "I, in no way, appealed that ruling. I think we settled that when there is a committee report signed by the proper majority before you, then the report must be accepted. My new point of order, Mr. Speaker, is not to challenge your ruling, but to ask for a ruling on the validity of the document before you according to the records of that particular committee, that when this measure, HB 1246, was voted on at the appropriate time and in the appropriate manner, it did not receive the necessary fourteen votes."

The Speaker (Mr. O'Brien presiding): "Representative Barrett, this isn't the first time that somebody has challenged the workings of the committee or the committee report. I believe that precedent will show established in our rulings that when precedent has been established and followed on previous Speaker's Rulings, on reports of standing committees, all the Speaker and the Chief Clerk can do is recognize what is before the Chief Clerk and the Speaker of the House. We have accepted that as prima facie evidence that the committee functioned properly. This has occurred more than once as set forth in our Journals."

MOTION

Mr. G. Nelson moved that further consideration of the committee report on HB 1246 be deferred until the records could be obtained from the Committee on Ways & Means' staff regarding the action on the measure.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Nelson, Rule 11(A) pertains to reading of bills. 'Upon being reported by committee, all measures shall go the rules committee.' If you want to do otherwise, you would have to move to suspend the rules, suspend this rule and defer action on this before the standing committee."

Mr. G. Nelson: "Mr. Speaker, all I'm asking is that we revert back to the fifth order of business. I'm not asking that we not do what you are suggesting. We have, from time to time in this body, read in measures from a committee and then referred them to Rules, and I'm not debating that. I'm simply asking that we defer back to the fifth order after we have conducted some of the other important business, and that we have, with the documentation in hand to allow you to make a more independent decision on exactly what is the process so that you might rule and set a precedent as to what we do have happening here."

The Speaker (Mr. O'Brien presiding): "Thank you very much. House Bill 1246 is referred to Committee on Rules."

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I believe that as a member of this body, I have the right to make an additional motion at this time under the proper order of business. I'm asking for that permission."

The Speaker (Mr. O'Brien presiding): "This is under committee reports. Stipulate your point of order."

Mr. Barrett: "Mr. Speaker, I was ignored when I called for the floor to make a motion."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "That would be out of order because under Point of Order you must be dissatisfied with something or the orderly business of the House has been not deemed conducted according to our rules, but to ask for a point of order to make a motion is out of order."

MOTION

On motion of Mr. Heck, the remaining bills reported on the fifth order of business were referred to Committee on Rules for second reading.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 689, by Committee on Commerce & Economic Development (originally sponsored by Representatives Silver, J. King, B. Williams, Tanner, Schmidt, Schoon, Brough, Padden, Johnson, Tilly, Long and Sanders)

Establishing the small business assistance coordinating council.

The bill was read the second time. On motion of Mr. J. King, Second Substitute House Bill No. 689 was substituted for House Bill No. 689, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 689 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 689, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Second Substitute House Bill No. 689, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1636, by Representatives J. King, Ellis, Hine, Halsan, Tanner, B. Williams, Powers and Silver

Establishing a strategic economic development commission.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 19th Day, January 27, 1984.)

On motion of Mr. J. King, the committee amendment was adopted.

Ms. Brough moved adoption of the following amendments:

On page 2, line 8 after "others" insert ", three nonlegislators nominated by the largest caucus and two nonlegislators nominated by the second largest caucus"

On page 2, line 11 after "others" insert ", three nonlegislators nominated by the largest caucus and two nonlegislators nominated by the second largest caucus"

Ms. Brough spoke in favor of the amendments, and Representatives J. King and Holland spoke against them.

The amendments were not adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1636, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative West - 1.

Engrossed House Bill No. 1636, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1691, by Representatives Ellis, J. King, Silver and Halsan

Authorizing tax credits for seed capital investments.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 1691 was substituted for House Bill No. 1691, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1691 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives J. King, Silver and Ellis spoke in favor of the bill, and Representatives Lux and Addison spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1691, and the bill passed the House by the following vote: Yeas, 85; nays, 13; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Addison, Chandler, Crane, Fuhrman, Garrett, Hastings, Locke, Lux, Nelson D, Padden, Pruitt, Smith C, Struthers - 13.

Substitute House Bill No. 1691, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1373, by Representatives Wang, J King, Ebersole, B. Williams, Rust, Smitherman, Barrett, Grimm, Schoon, Van Dyken, Fisher, Walk, Kaiser, Brough, Tanner, Powers, Clayton, Long and Mitchell

Developing an environmental profile and assisting businesses to locate in Washington state.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1373, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Padden - 2.

House Bill No. 1373, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1262, by Representatives Niemi, Silver, Ellis, Sanders, Johnson, O'Brien, P. King, Lewis and Tanner (by Governor Spellman request)

Facilitating economic development.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 1262 was substituted for House Bill No. 1262, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1262 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and B. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1262, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Padden - 2.

Substitute House Bill No. 1262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1582, by Representatives Hine, Armstrong, O'Brien, Holland, P. King, Tilly, Van Dyken, Scott, Haugen, Wang, Garrett, Dellwo, D. Nelson, Appelwick, Schoon, R. King, Tanner, Isaacson, Johnson, Miller, Todd, Addison, Powers and Long

Extending funding for enforcement of DWI laws.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 1582 was substituted for House Bill No. 1582, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1582 was read the second time.

Mr. Vekich moved adoption of the following amendment:

On page 4, line 16 after "act," insert "Notwithstanding any other provision of this act, any jurisdiction enforcing or attempting to enforce laws against driving while intoxicated by means of roadblocks shall not receive any portion of this appropriation."

Mr. Vekich spoke in favor of the amendment, and Representatives Struthers, Appelwick, Hine, Schoon and Patrick spoke against it.

Mr. Vekich spoke again in favor of the amendment.

Mr. Struthers demanded an electric roll call vote and the demand was sustained.

Mr. Tilly spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vekich to Substitute House Bill No. 1582, and the amendment was not adopted by the following vote: Yeas, 21; nays, 77; excused, 0.

Voting yea: Representatives Belcher, Crane, Ebersole, Fisher, Halsan, Heck, King R, Locke, Lux, McMullen, Moon, Nelson D, Pruitt, Sayan, Schmidt, Sutherland, Tanner, Vekich, Walk, Williams J, and Mr. Speaker - 21.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, McClure, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Wang, West, Williams B, Wilson, Zellinsky - 77.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Isaacson and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1582, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1582, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 977, by Representatives Armstrong and Isaacson

Relating to driving while intoxicated.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 977 was substituted for House Bill No. 977, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 977 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1402, by Representatives Powers, Belcher, Appelwick, R. King, Barrett, Tanner, Miller, Jacobsen, Sayan, Fisher, Todd, Allen, Zellinsky, Smitherman, Ebersole, Stratton, Ellis, Long, Van Dyken, Taylor, Wang, Holland, Kreidler and Egger

Establishing a training program for liquor licensees to recognize and prevent intoxication.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 25th Day, February 2, 1984.)

On motion of Mr. Appelwick, the House adopted the committee amendment to page 2, line 11.

Mr. Van Dyken moved adoption of the following amendment:

On page 2, line 2 strike ", and certification by the state of Washington as a teacher"

Representatives Van Dyken and Powers spoke in favor of the amendment, and it was adopted.

On motion of Mr. Appelwick, the committee amendment to the title of the bill was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Powers and Lewis spoke in favor of passage of the bill, and Mr. Ballard spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1402, and the bill passed the House by the following vote: Yeas, 79; nays, 18; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Barrett, Belcher, Betzoff, Bond, Brekke, Broback, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nelson D, Nelson G, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton,

Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Armstrong, Ballard, Braddock, Burns, Chandler, Clayton, Dickie, Fisher, Fiske, Locke, Moon, Nealey, Niemi, Patrick, Sanders, Smith C, Van Luven, Williams J - 18.

Absent: Representative Brough - 1.

Engrossed House Bill No. 1402, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1547, by Representatives Zellinsky, Schmidt and Wilson (by Secretary of State request)

Establishing procedures for absentee voters unable to vote during the normal period.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 1547 was substituted for House Bill No. 1547, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1547 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Zellinsky, Schmidt and Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1547, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1547, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1548, by Representatives Fisch, Miller, Wang and D. Nelson (by Secretary of State request)

Making voter registration services available in state offices.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 1548 was substituted for House Bill No. 1548, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1548 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1529, by Representatives Pruitt, Mitchell and Halsan

Reenacting the law regulating exit polling.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1529, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Bond, West - 2.

House Bill No. 1529, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1386, by Representatives R. King and Betrozoff (by Attorney General request)

Modifying provisions relating to third party actions for industrial injuries.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 22nd Day, January 30, 1984.)

On motion of Mr. Dellwo, the committee amendments were adopted.

On motion of Mr. McMullen, the following amendment by Representatives McMullen, Dellwo and R. King was adopted:

On page 7, beginning on line 29 after "(4)" strike all material down through and including "(5)" on line 35.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1386, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1183, by Representatives Sommers, Monohon, Dellwo and Fiske

Changing collection and distribution procedures for certain court fees, fines, and forfeitures.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 1183 was substituted for House Bill No. 1183, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1183 was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Fiske.

Mr. Fiske: "Representative Monohon, there have been some questions raised about the intent of this legislation with respect to the distribution of revenues between states and local government. Could you clarify this issue for the body, please?"

Ms. Monohon: "This bill has had considerable hearings and there's been a continual involvement over the years to get to where we are right now. The intent of this legislation is to maintain the present distribution of revenues between the state and local government. The effective date will be July 1985, to enable a more complete analysis of the local impact. Local governments have had difficulties in making these estimates and we plan to continue to work with the local governments to ensure stability in revenue sources and to fine-tune this labor. Finally, a primary purpose is to increase the efficiency, to reduce the cost of collection of the court fees, and to streamline the whole system. I would urge your support of this measure."

Representatives Fiske and Tilly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 1319, by Representatives Barnes and Hine

Revising the area for aircraft noise abatement programs.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1319, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Brough - 1.

House Bill No. 1319, having received the 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 Mr. Wang, HOUSE BILL NO. 1379 was rereferred from the second reading calendar to Committee on Rules.

HOUSE BILL NO. 1378, by Representatives Niemi, O'Brien, Johnson, Belcher, Kreidler and Walk

Changing provisions relating to state civil service.

The bill was read the second time.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, it would appear the House Bill No. 1378 is improperly before us since we already have before us, House Bill 134, which is the same measure."

The Speaker: "Representative Barrett, I believe your point of order is not well taken."

Mr. B. Williams moved adoption of the following amendments:

On page 2, line 14 strike all of section 1.

On page 5, line 3, strike "~~((and reemployment from layoff))~~" and insert "and reemployment from layoff"

On page 5, line 17 strike ", both according to seniority"

On page 8, line 10 following "chapter" strike all material through "agency" on line 13.

On page 8, line 14 strike all of section 4.

On page 10, line 31 strike all of section 10.

On page 12, line 2 strike "~~((and reemployment from layoff))~~" and insert "and reemployment from layoff"

On page 12, line 13 strike ", both according to seniority"

On page 15, line 11 following "chapter" strike all material through "board" on line 15

On page 15, line 22 following "board" strike all material through "board" on line 26

On page 15, line 27 strike all of section 12.

On page 17, line 9 strike all of section 17.

On page 18, strike lines 32 and 33.

On page 19, strike lines 1 through 4 and 9 through 17 and 17 through 20.

On page 19, strike lines 23, 24 and 29 through 32.

Re-number the remaining sections consecutively and correct any internal references.

Mr. B. Williams spoke in favor of the amendments, and Mr. Sayan spoke against them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to House Bill No. 1378, and the amendments were not adopted by the following vote: Yeas, 44; nays, 54; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzloff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Mr. Broback moved adoption of the following amendments:

On page 2, line 14 strike all of section 1.

On page 7, strike lines 8 through 11 and insert:

"(18) Increment or merit increases within the series of steps for each pay grade;"

On page 8, line 14 strike all of section 4.

On page 19, strike lines 23 through 28.

Representatives Broback, Taylor and B. Williams spoke in favor of the amendments, and Mr. Kreidler spoke against them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Broback to House Bill No. 1378, and the amendments were not adopted by the following vote: Yeas, 44; nays, 54; excused, 0.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Mr. Tilly moved adoption of the following amendment:

On page 9, line 34 strike all of section 9 and renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment, and Ms. Niemi spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The amendment was not adopted.

House Bill No. 1378 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1165, by Representatives Haugen, Wilson, R. King, Moon, Stratton, Allen and Kaiser

Restricting bottom trawling for food fish in certain areas of Puget Sound.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No. 1165 was substituted for House Bill No. 1165, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1165 was read the second time.

Mr. G. Nelson moved adoption of the following amendment:

On page 1, line 8 strike "Randall Point to Elliot Point" and insert "the Edmonds fishing pier to the southernmost point of Whidbey Island"

Representatives G. Nelson and Wilson spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Substitute House Bill No. 1165, and the amendment was adopted by the following vote: Yeas, 74; nays, 24; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Long, Lux, Miller, Mitchell, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Struthers, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Dellwo, Fisher, Gallagher, Galloway, Garrett, Halsan, Heck, Kreidler, Locke, McClure, McMullen, Monohon, Moon, Nelson D, Pruitt, Sommers, Stratton, Sutherland, Tanner, Van Dyken, Vekich - 24.

Mr. McClure moved adoption of the following amendments:

On page 1, line 11 after "areas;" insert "or"

On page 1, beginning on line 13 after "year" strike all material down to and including "shoreline" on line 14.

Representatives McClure and Belcher spoke in favor of the amendments, and Representatives Haugen and Wilson spoke against them.

The amendments were not adopted.

Substitute House Bill No. 1165 was ordered engrossed and passed to Committee on Rules for third reading.

Representative Gallagher was excused.

HOUSE BILL NO. 1191, by Representatives Ebersole, Wang, Lux, Rust, Todd, Fisher, Grimm, Haugen and Hine

Mandating water quality testing by public water supply systems.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1191 was substituted for House Bill No. 1191, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1191 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1191, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, Padden - 2.

Excused: Representative Gallagher - 1.

Substitute House Bill No. 1191, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1652, by Representatives Jacobsen, Locke, Brough, Belcher, Betzoff, Lux, Ballard, D. Nelson, Armstrong, Pruitt, Allen, Fisher, Miller, McClure, Cantu, Rust, Vander Stoep, Sayan, Charnley, Patrick, Niemi, Wang, Kreidler, Hine, Grimm, Broback, Johnson, Crane, Todd, Brekke, Powers, Long and Haugen

Modifying the regulation of fireworks.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1652 was substituted for House Bill No. 1652, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1652 was read the second time.

Mr. Appelwick moved adoption of the following amendments:

On page 3, beginning on line 8, after "combustion") strike all material down to and including line 25 and insert "designed primarily for sale at retail to the public designed to produce visual or audible effects by combustion. The term does not include aerial devices or audible ground devices as defined by the United States department of transportation and the federal consumer products safety commission on December 31, 1983, unless the state fire marshal has specifically approved the type of firework classified under these federal definitions."

On page 16, strike lines 12 and 13 and insert the following:

"Sec. 38. Section 13, chapter 230, Laws of 1982 and RCW 70.77.570 are each amended to read as follows:

No person may possess and no fireworks may be sold or offered for sale to the public as common fireworks which are classified as ((sky-rockets)) aerial devices or ((missile-type-rockets-as-defined)) audible ground devices. Aerial devices and audible ground devices have the meaning given them by the United States department of transportation and the federal consumer products safety commission on December 31, 1983, unless the state fire marshal has specifically approved the type of firework ((so)) classified within these definitions."

Representatives Appelwick, Charnley and Patrick spoke in favor of the amendments, and Representatives Locke, J. King and Schoon spoke against them.

The amendments were not adopted.

Mr. Barrett moved adoption of the following amendment:

On page 2, beginning on line 21, strike all material through line 26 on page 3 and insert the following:

"Sec. 1. Section 1, chapter 230, Laws of 1982 and RCW 70.77.126 are each amended as follows:

'Fireworks' means any composition or device, in a finished state, containing any combustible or explosive substance for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and classified as common or special fireworks by the United States bureau of explosives or contained in the regulations of the United States department of transportation as of the effective date of this 1984 act.

Sec. 2. Section 2, chapter 230, Laws of 1982 and RCW 70.77.131 are each amended to read as follows:

'Special fireworks' includes any fireworks designed primarily for exhibition display which produce visible or audible effects by combustion, deflagration, or detonation and classified as special fireworks by the United States bureau of explosives or in the regulations of the United States department of Transportation as of the effective date of this 1984 act.

Sec. 3. Section 3, chapter 230, Laws of 1982 and RCW 70.77.136 are each amended to read as follows:

'Common fireworks' includes any fireworks which are designed primarily for sale at retail to the public during prescribed dates and which produce visible or audible effects through combustion and classified as common fireworks by the United States bureau of explosives or in the regulations of the United States department of transportation as of the effective date of this 1984 act.

NEW SECTION. Sec. 4. There is added to chapter 70.77 RCW a new section to read as follows:

(1) 'New fireworks item' means any fireworks initially classified or reclassified as special or common fireworks by the United States bureau of explosives or in the regulations of the United States department of transportation after the effective date of this act.

(2) The state fire marshal shall classify any new fireworks item in the same manner as the item is classified by the United States bureau of explosives or in the regulations of the United States department of transportation, unless the state fire marshal determines, stating reasonable grounds, that the item should not be so classified."

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

Mr. Barrett spoke in favor of the amendment, and Mr. Locke spoke against it.

The amendment was not adopted.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Tilly:

On page 4, line 31 after "rules," strike "However, nothing in this chapter may be construed to restrict the authority of counties, cities, or towns to promulgate and enforce local rules that are more restrictive than state law."

Mr. Locke spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Locke, what is your understanding of what a local authority may do concerning fireworks' regulation if this bill passes with this amendment?"

Mr. Locke: "Local authorities would still have the authority to regulate fireworks. It is our feeling that this sentence is not necessary because it is our belief that local governments already have that power as part of their police power under Article II, section 11, of the State Constitution to regulate fireworks and any other hazardous item. The sentence is also not necessary because the remainder of subsection (4) just above it says the state fire marshal shall prescribe minimum -- and I emphasize 'minimum' -- statewide standards. That word 'minimum' implies that local governments may go beyond those minimums and that is the rationale behind this amendment."

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Padden, what is your opinion of the effect of this amendment by Representative Locke?"

Mr. Padden: "As Representative Locke stated, the sentence being eliminated would prevent any inference that the bill is intended to restrict local authority to regulate fireworks. By eliminating that sentence, that local authority is restricted because the previous sentence says, 'Counties, cities and towns shall comply with such rules.' I favor the amendment because I intend that we have a uniform state-wide standard."

Ms. Brough spoke against the amendment.

The amendment was adopted.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings, Locke and Jacobsen:

On page 4, after line 33 insert:

"Any local rules adopted by local authorities that are more restrictive than state law as to the types of fireworks that may be sold shall have an effective date no sooner than one year after their adoption."

Representatives Hastings, Locke and Brough spoke in favor of the amendment and it was adopted.

On motion of Mr. Tilly, the following amendments by Representatives Tilly and Locke were adopted:

On page 13, line 31 strike all material through line 1 on page 14 and insert:

"(2) If the fireworks are not returned to the petitioner or destroyed pursuant to RCW 70.77-.435, the state fire marshal may sell confiscated common fireworks and special fireworks that are legal for use and possession under this chapter to wholesalers licensed by the state fire marshal. Sale shall be by public auction after publishing a notice of the date, place, and time of the auction in a newspaper of general circulation in the county in which the auction is to be held, at least three days before the date of the auction. The proceeds of the sale of the seized fireworks under this section shall be deposited in the general fund. Fireworks that are not legal for use and possession in this state shall be destroyed by the state fire marshal."

On page 14, line 20 strike "class C felony, punishable as provided in chapter 9A.20 RCW" and insert "gross misdemeanor"

Substitute House Bill No. 1652 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 3, 1984

HB 1171 Prime Sponsor, Representative Sayan: Requiring that certain conditions be met prior to receiving a grant or loan for sanitary sewage facilities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Allen, Burns, Clayton, Hankins, Lux, Patrick and Pruitt.

Voting nay: Representatives Fisher, Vice Chair; Brekke, Dellwo, Jacobsen, Van Dyken and J. Williams.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1241 Prime Sponsor, Representative Haugen: Establishing provisions for protection of property buyers when water supply is not potable. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice

Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1265 Prime Sponsor, Representative Niemi: Modifying emergency services provisions. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Voting nay: Representative Bond.

Absent: Representatives Johnson, Silver and Taylor.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1344 Prime Sponsor, Representative McMullen: Requiring examinations for applicants for teaching certificates. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill by Committee on Ways & Means be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman and Vander Stoep.

Voting nay: Representatives Bond, Cantu, Hastings, Sanders, Struthers and Taylor.

Absent: Representative Ellis.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1363 Prime Sponsor, Representative Sommers: Authorizing coordination study between WSU and EWU. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representative Bond.

Absent: Representatives Heck and J. King.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1407 Prime Sponsor, Representative Tanner: Modifying provisions relating to transportation of forest products in waters of the state. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, P. King, McMullen, Miller, Mitchell, Sanders, Sayan, L. Smith, Sutherland, Vekich and B. Williams.

Voting nay: Representative Sommers.

Absent: Representatives Fuhrman, Isaacson, Johnson, Tanner, Vekich and Wilson.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1450 Prime Sponsor, Representative Halsan: Authorizing the exchange of state lands with lands of school districts and institutions of higher education. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Fuhrman, Haugen, Isaacson, Johnson, P. King, McClure, McMullen, Miller, Mitchell, Sanders, L. Smith, Sommers, Sutherland, Tanner, Vekich, B. Williams and Wilson.

Absent: Representatives Isaacson, Sayan and Wilson.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1464 Prime Sponsor, Representative Charnley: Regulating smoking in the workplace. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Lux, Patrick, Pruitt and Van Dyken.

Voting nay: Representatives Clayton, Hankins and J. Williams.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1499 Prime Sponsor, Representative Sayan: Establishing a toll-free telephone line for reporting violations of the fisheries code. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Fiske, Haugen, McClure, McMullen, Sanders, Sayan, Sommers, Sutherland, Tanner, Vekich and Wilson.

Voting nay: Representatives Halsan, Vice Chair; Belcher, Miller, Mitchell and L. Smith.

Absent: Representatives Isaacson, Johnson and B. Williams.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1654 Prime Sponsor, Representative Belcher: Prohibiting the use of decompression chambers to kill animals. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 10 after "this" strike "chapter" and insert "section"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Galloway, Moon, Nealey, Prince, C. Smith and Todd.

Voting nay: Representatives Dickie and Egger.

Absent: Representatives Ballard and Ebersole.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1660 Prime Sponsor, Representative Grimm: Improving the quality of education. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill by Committee on Ways & Means be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Cantu, Fiske, Hastings, Sanders, Struthers and Tilly.

Voting nay: Representatives Addison, Bond, Cantu, Fiske, Hastings, G. Nelson, Sanders, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Saturday, February 4, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 4, 1984

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske and West. Representative West was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Antonette Savoie and Brent Marcear. Prayer was offered by The Reverend David Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 977, by Committee on Judiciary (originally sponsored by Representatives Armstrong and Isaacson)

Delaying the effective date of administrative revocation of driver's licenses for DWI violations and instituting an interim system of temporary licenses.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 977, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appewick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Fiske - 1.

Excused: Representative West - 1.

Substitute House Bill No. 977, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1165, by Committee on Natural Resources (originally sponsored by Representatives Haugen, Wilson, R. King, Moon, Stratton, Allen and Kaiser)

Restricting bottom trawling for food fish in certain areas of Puget Sound.

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

Representatives Haugen and Wilson spoke in favor of the bill, and Representative McClure spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1165, and the bill passed the House by the following vote: Yeas, 80; nays, 16; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Bond, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Miller, Mitchell, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, Williams J, Wilson, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Belcher, Betzoff, Braddock, Brekke, Fisher, Locke, McClure, McMullen, Monohon, Nelson D, Niemi, Pruitt, Smith L, Van Dyken, Vekich, Williams B - 16.

Absent: Representative Fiske - 1.

Excused: Representative West - 1.

Engrossed 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.

Representative Fiske appeared at the bar of the House.

HOUSE BILL NO. 1378, by Representatives Niemi, O'Brien, Johnson, Belcher, Kreidler and Walk

Changing provisions relating to state civil service.

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

Representatives Niemi and Sayan spoke in favor of passage of the bill, and Representatives B. Williams, Broback, Taylor and Hankins spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1378, and the bill passed the House by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Williams B, Williams J, Wilson - 44.

Excused: Representative West - 1.

House Bill No. 1378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1548, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisch, Miller, Wang and D. Nelson - by Secretary of State request)

Making voter registration services available in state offices.

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

Mr. Fisch spoke in favor of passage of the bill, and Mr. Nealey spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1548, and the bill passed the House by the following vote: Yeas, 75; nays, 22; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Barrett, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hastings, Johnson, Lewis, Nealey, Nelson G, Padden, Prince, Silver, Smith C, Struthers, Taylor, Wilson - 22.

Excused: Representative West - 1.

Substitute House Bill No. 1548, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, by Committee on Commerce & Economic Development (originally sponsored by Representatives Jacobsen, Locke, Brough, Belcher, Betzoff, Lux, Ballard, D. Nelson, Armstrong, Pruitt, Allen, Fisher, Miller, McClure, Cantu, Rust, Vander Stoep, Sayan, Charnley, Patrick, Niemi, Wang, Kreidler, Hine, Grimm, Broback, Johnson, Crane, Todd, Brekke, Powers, Long and Haugen)

Modifying the regulation of fireworks.

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

Representatives Jacobsen and Appelwick spoke in favor of the bill, and Representatives Wilson and Bond spoke against it.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Bond.

Mr. Bond: "Representative Locke, do I understand that there is a provision in this bill that exempts the Chinese from using firecrackers in their celebration?"

Mr. Locke: "No."

Mr. Bond: "How do I read this provision on line 16, page 9?"

Mr. Locke: "You read it very carefully."

Mr. Bond: "All right, I will. Inscrutable Oriental, eh?"

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Nealey.

Mr. Nealey: "Representative Locke, I see in here where the time element is from 9 a.m. to 11 p.m. Is there special significance for having it at such a late hour in the morning?"

Mr. Locke: "That was an amendment suggested and offered by Representative Tilly and adopted by the committee. You should ask him."

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Nealey.

Mr. Nealey: "Representative Tilly, would you be able to clarify that? I notice that 9 a.m. to 11 p.m. are the hours for using these fireworks. Is there any significance to why it's started so late in the morning?"

Mr. Tilly: "Yes, I think a lot of people, especially senior citizens, arise at later hours and we'd not like to disturb their peace."

POINT OF PERSONAL PRIVILEGE

Mr. Bond: "I wish to say that I certainly do not mean to produce any slur against Representative Locke and I apologize for that comment."

Representatives Nealey and Sanders spoke against passage of the bill, and Representatives Patrick, Brough, Pruitt, Barrett and Locke spoke in favor of the bill.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Locke, I was just reading the bill and I notice on page 14, line 20 it says, 'A violation of this section is a class C felony....' Didn't we change that to a gross misdemeanor yesterday?"

Mr. Locke; "Yes, we changed it yesterday to a gross misdemeanor."

Mr. Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652, and the bill passed the House by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Fiske, Galloway, Garrett, Grimm, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Bond, Chandler, Clayton, Dickie, Ellis, Fuhrman, Gallagher, Halsan, Hankins, Isaacson, Lewis, Nealey, Smith C, Smith L, Sutherland, Williams B, Wilson - 17.
Excused: Representative West - 1.

Engrossed Substitute House Bill No. 1652, having received the 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1161, by Representatives Charnley, Ballard, Rust, Armstrong, Moon, Fisher, Allen, Jacobsen, Smitherman, Brekke, Todd, Hine, Wang, Brough, Patrick, Van Dyken, Johnson, Burns and Miller

Requiring notification to state fire marshal of changes in fireworks regulations.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1408, by Representatives Grimm, Fisher, Ebersole, Smitherman, Wang, Brough, Johnson, Crane and Powers

Authorizing cities and towns to conduct and fund historic preservation activities.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 1, line 6 after "real" insert "and personal"

On motion of Mr. Moon, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Grimm, would this in any way have application to any portion of the John Wayne Trail?"

Mr. Grimm: "Not to the best of my knowledge, Representative Isaacson."

Ms. Brough spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1408, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman,

Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidl, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative West - 1.

Engrossed House Bill No. 1408, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1227, by Representatives Jacobsen, Allen, Charnley, Rust and Belcher

Providing for management of state park land.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1227 was substituted for House Bill No. 1227, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1227 was read the second time.

On motion of Ms. Rust, the following amendment was adopted:

On page 3, line 7 after "trust" strike "lands" and insert "land"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1422, by Representatives Burns, McMullen, Grimm, Jacobsen, Holland, D. Nelson, Addison, Locke, Miller, Ebersole, Tanner, Sutherland, Fisher, Armstrong, Hine, Todd, Wang and Niemi

Placing student representatives on the governing boards of the state institutions of higher education.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 1422 was substituted for House Bill No. 1422, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1422 was read the second time.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 16 strike everything after the enacting clause and insert:

"NEW SECTION, Sec. 1. There is added to chapter 28B.10 RCW a new section to read as follows:

The governing board of each state institution of higher education shall contain one non-voting undergraduate student as an advisory member, plus one nonvoting graduate student as an advisory member if the institution has graduate level students."

Mr. Vander Stoep spoke in favor of the amendment, and Mr. Burns spoke against it.

POINT OF INQUIRY

Mr. Vander Stoep yielded to question by Mr. Prince.

Mr. Prince: "Representative Vander Stoep, the bill is very specific in the manner in which student regents would be appointed. How would you propose that these advisory representatives be appointed?"

Mr. Vander Stoep: "It's my intention that the mechanism in the bill would, essentially, be what would be used if this amendment is adopted, Representative Prince. In other words, I think the student advisory members ought to be selected by the governing student body. If that student body chooses to have a student election to select these people, that would be their choice. If they want to have them chosen by the students' leadership, that would be their choice as well."

Representatives D. Nelson, Tanner and Powers spoke against the amendment, and Representatives Brough and Sommers spoke in favor of it.

Mr. D. Nelson again opposed the amendment, and Mr. Vander Stoep spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to Substitute House Bill No. 1422, and the amendment was adopted by the following vote: Yeas, 58; nays, 39; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Heck, Isaacson, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Long, McClure, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Williams B, Williams J, Wilson, Zellinsky - 58.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Grimm, Halsan, Hine, Holland, Jacobsen, King P, Locke, Lux, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sutherland, Tanner, Vekich, Walk, Wang, and Mr. Speaker - 39.

Excused: Representative West - 1.

MOTION FOR RECONSIDERATION

Mr. R. King, having voted on the prevailing side, moved that the house immediately reconsider the vote by which the Vander Stoep amendment was adopted.

Representatives R. King and Powers spoke in favor of the motion, and Representatives Prince, Barrett and Brough spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the Vander Stoep amendment to Substitute House Bill No. 1422 be reconsidered, and the motion was lost by the following vote: Yeas, 39; nays, 58; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Grimm, Halsan, Hine, Jacobsen, King P, King R, Locke, Lux, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sutherland, Tanner, Todd, Vekich, Wang, and Mr. Speaker - 39.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, King J, Kreidler, Lewis, Long, McClure, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Walk, Williams B, Williams J, Wilson, Zellinsky - 58.

Excused: Representative West - 1.

On motion of Mr. Vander Stoep, the following amendment to the title was adopted:

On page 1, following "education;" strike all material through line 15 and insert "adding a new section to chapter 28B.10 RCW."

Substitute House Bill No. 1422 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1562, by Representatives Kreidler, Lewis, Holland and Clayton (by Department of Social and Health Services request)

Modifying provisions relating to collection of child support assigned to the department of social and health services.

The bill was read the second time.

On motion of Mr. Kreidler, the following amendment was adopted:

On page 1, after line 4 insert the following:

"Sec. 1. Section 3, chapter 164, Laws of 1971 ex. sess., section 4, chapter 183, Laws of 1973 1st ex. sess., section 371, chapter 141, Laws of 1979, section 4, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.030 are each amended to read as follows:

The department shall be subrogated to the right of any dependent child or children or person having the care, custody, and control of said child or children, if public assistance money is paid to or for the benefit of the child, to prosecute or maintain any support action or execute any administrative remedy existing under the laws of the state of Washington to obtain

reimbursement of moneys expended, based on the support obligation of the responsible parent established by a superior court order or RCW 26.16.205.

No collection shall be made from a parent or other person who is the recipient of public assistance moneys while such person or persons are in such status except as provided in RCW 74.20A.270.

No collection action shall be taken against parents of children eligible for admission to, or children who have been released from, a state school for the developmentally disabled as defined by chapter 72.33 RCW."

The Clerk read the following amendment by Representatives Barnes, Haugen, Schmidt and Zellinsky:

On page 4, following line 12 insert:

*Sec. 2. Section 5, chapter 322, Laws of 1959 as last amended by section 20, chapter 201, Laws of 1982 and RCW 74.20.040 are each amended to read as follows:

(1) Whenever the department of social and health services receives an application for public assistance on behalf of a child, the department shall take appropriate action under the provisions of this chapter, chapter 74.20A RCW, or other appropriate statutes of this state to establish or enforce support obligations against the parent or other persons owing a duty to pay support moneys.

The department shall collect data from cases of support under RCW 74.20.270 where there is no court-ordered support obligation. Such data shall include: income characteristics of those obligated to pay support, obligation established, and resulting payments. ~~((The department shall report its findings to the appropriate legislative committees by January 1, 1983.))~~ The department shall reconsider its administrative standards under RCW 74.20.270 in light of relevant data and shall, to the extent feasible without substantial impact on aid to families with dependent children, bring those standards into conformity with payment standards based on actual experience.

(2) The secretary may accept applications for support enforcement services on behalf of persons who are not recipients of public assistance and may take action as he deems appropriate to establish or enforce support obligations against the parent or other persons owing a duty to pay moneys. ~~((Applications accepted under this section may be conditioned upon the payment of a fee as required through regulation issued by the secretary.))~~ Action may be taken under the provisions of chapter 74.20 RCW, the abandonment or nonsupport statutes, or other appropriate statutes of this state, including but not limited to remedies established in chapter 74.20A RCW, to establish and enforce said support obligations. The secretary may establish by regulation, such reasonable standards as he deems necessary to limit applications for support enforcement services. Said standards shall take into account the income, property, or other resources already available to support said person for whom a support obligation exists.

(3) The secretary may charge a fee to compensate the department for services rendered in establishment of or enforcement of support obligations. ~~((This fee shall be agreed on in writing with the custodian or guardian of the person for whom a support obligation is owed, or that person if no custodian or guardian exists and shall be limited to not more than ten percent of any support money collected as a result of action taken by the secretary.))~~ The fee charged shall be in addition to the support obligation. The secretary shall by regulation establish reasonable fees for support enforcement services and said schedule of fees shall be made available ~~((to all applicants for support enforcement services.))~~ The secretary may impose the fee on the individual who owes a child support or spousal support obligation. The secretary may, on showing of necessity, waive or defer any such fee.

~~((4) The secretary may impose a fee on the individual who owes a child support or spousal support obligation with respect to all such child and spousal support obligations for which collection is made on behalf of persons who are not recipients of public assistance.))~~

Fees, due and owing, may be collected as delinquent support moneys utilizing any of the remedies in chapter 74.20 RCW, chapter 74.20A RCW, chapter 26.21 RCW, or any other remedy at law or equity available to the department or any agencies with whom it has a cooperative or contractual arrangement to establish, enforce, or collect support moneys or support obligations.

~~((5))~~ (4) The secretary may waive the fee, or any portion thereof, as a part of a compromise of disputed claims or may grant partial or total charge off of said fee if the secretary finds there are no available, practical, or lawful means by which said fee may be collected or to facilitate payment of the amount of delinquent support moneys owed."

With the consent of the House, Mr. Barnes withdrew the amendment.

MOTION

On motion of Mr. Heck, further consideration of House Bill No. 1562 was deferred and the bill was ordered placed on the second reading calendar following House Bill No. 1655.

HOUSE BILL NO. 1292, by Representatives Appelwick, Padden and Jacobsen

Repealing the requirement that World War II veterans be given certain law school credits.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1292, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Dickie, Ebersole, Grimm, Kaiser, Pruitt, Vekich - 6.

Excused: Representative West - 1.

House Bill No. 1292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1174, by Representatives Rust, Allen, Kreidler, Van Dyken, Lux, Fisher, Todd, Charnley and Jacobsen

Regulating acid deposition pollution.

The bill was read the second time. On motion of Ms. Rust, Second Substitute House Bill No. 1174 was substituted for House Bill No. 1174, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1174 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1174, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative West - 1.

Second Substitute House Bill No. 1174, having received the 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 Mr. Heck, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ballard and West, who were excused.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 3, 1984

HB 739 Prime Sponsor, Representative Clayton: Authorizing special operating permits to be granted for antique boilers. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Fisher, O'Brien, Sayan and Struthers.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1153 Prime Sponsor, Representative Ellis: Modifying provisions on radioactive materials. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Brekke, Burns, Dellwo, Hankins, Jacobsen, Lux and Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Patrick, Van Dyken and J. Williams.

Voting nay: Representatives Allen, Clayton, Patrick, Van Dyken and J. Williams.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1175 Prime Sponsor, Representative Lux: Authorizing injured workers to select their vocational-rehabilitation counselor. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 6 beginning with "Every" strike all material on lines 6 through 8 and insert the following:

"Every qualified injured worker receiving rehabilitation services may request that a different counselor or firm provide these services. The worker may specify the new counselor or firm which will provide the services. The counselor or firm named shall be a counselor or firm registered under this chapter.

The request for a new counselor shall be immediately granted, unless the worker has requested and been granted a change of counselors on one or more previous occasions."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler, Clayton, Patrick, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1185 Prime Sponsor, Representative Lux: Authorizing the acquisition of banks by out-of-state bank holding companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ballard, Broback, Cantu, Crane, Dickie, Galloway, Hankins, Johnson, P. King, Kreidler, Wang and West.

MINORITY recommendation: Do not pass. Signed by Representatives Lux, Chair; Sanders and Vekich.

Voting nay: Representatives Lux, Chair; Monohon, Sanders, Vekich and Zellinsky.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1362 Prime Sponsor, Representative Stratton: Revising recreational food fish and shellfish licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, P. King, Miller, Mitchell, Sayan, L. Smith, Sommers, Sutherland, Tanner and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Fiske, Haugen, McClure, McMullen, Sanders, Vekich and Wilson.

Voting nay: Representatives Fiske, Fuhrman; Haugen, McClure, McMullen, Sanders, Vekich and Wilson.

Absent: Representatives Isaacson and Johnson.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1493 Prime Sponsor, Representative McMullen: Modifying provisions relating to interest payments on workers' compensation awards and benefits. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 301, Laws of 1983 and RCW 51.52.135 are each amended to read as follows:

(1) When a worker or beneficiary prevails in an appeal by the employer, the worker, or the beneficiary to the board or in an appeal by the employer, the worker, or the beneficiary to the court from the decision and order of the board, the worker or beneficiary shall be entitled to interest at the rate of twelve percent per annum on the unpaid amount of the award after deducting the amount of attorney fees. For the purposes of this section, 'award' includes awards for: (a) Total temporary disability; (b) temporary partial disability; (c) permanent partial disability; (d) total permanent disability; and (e) medical benefits.

~~(2) ((When a worker or beneficiary prevails in an appeal by the worker or beneficiary to the board or the court regarding a claim for temporary total disability, the worker or beneficiary shall be entitled to interest at the rate of twelve percent per annum on the unpaid amount of the award after deducting the amount of attorney fees.~~

~~(3)) The interest provided for in subsection(s)) (1) ((and (2))) of this section shall accrue from the date of the department's order granting the award or denying payment of the award. The interest shall be paid by the party having the obligation to pay the award. The amount of interest to be paid shall be ((fixed by the board or court, as the case may be)) determined by the department.~~

On page 1, line 3 of the title strike "51.32.135" and insert "51.52.135"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Voting nay: Representatives Betrozoff, Chandler, Clayton, C. Smith and Struthers.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1542 Prime Sponsor, Representative P. King: Establishing procedures for declaratory judgments on local government ordinances. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Ballard, Broback, Brough, Chandler, Charnley, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Voting nay: Representative Ebersole.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1556 Prime Sponsor, Representative D. Nelson: Permitting certain municipal corporations and irrigation districts to enter into contracts for the purchase or sale of electric power that obligate the buyer to make payments under most circumstances. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Moon, Pruitt, Scott and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Fuhrman, Hastings, Isaacson, Long, Nealey and Van Luven.

Voting nay: Representatives Barnes, Bond, Fuhrman, Hastings, Isaacson, Miller, Moon, Nealey and Van Luven.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1576 Prime Sponsor, Representative Lux: Providing for a state minimum wage equivalent to the federal minimum wage. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

"Sec. 1. Section 2, chapter 294, Laws of 1959 as last amended by section 2, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.020 are each amended to read as follows:

(1) Every employer shall pay to each of his or her employees who have reached the age of eighteen years wages at ((a)) the rate ((of not less than one dollar and sixty cents per hour except as may be otherwise provided under subsections (2) through (7) of this section or as otherwise provided under this chapter: PROVIDED, That beginning the calendar year 1974, the applicable rate under this section shall be one dollar and eighty cents per hour, and beginning with September 1, 1975 the applicable rate under this section shall be two dollars and ten cents an hour, and beginning the calendar year 1976 the applicable rate under this section shall be two dollars and thirty cents an hour)) established under this section.

(2) The director shall establish by rule the minimum wage applicable to every employee who has reached the age of eighteen in accordance with this section.

(3) If, at any time, the federal minimum wage applicable to employees covered by the United States fair labor standards act of 1938, as amended, is scheduled to exceed the minimum wage established by the director, the director shall by rule adopt a new minimum wage at the scheduled higher federal minimum wage unless the director finds that adopting the federal minimum wage is unreasonable.

(4) If, at any time, the federal minimum wage applicable to employees covered by the United States fair labor standards act of 1938, as amended, is scheduled to be less than the minimum wage established by the director, the director shall by rule adopt a new minimum wage at the scheduled lower federal minimum wage unless the director finds that adopting the federal minimum wage is unreasonable.

(5) The effective date of any rule which adopts the new federal minimum wage as the minimum wage established under this section shall be the same as the effective date of the new federal minimum wage. However, such rule shall not become operative if the scheduled increase or decrease in the federal minimum wage does not become operative. ((Any individual eighteen years of age or older, unless exempt under the provisions of section 1(5)(k)(8) of this 1975 amendatory act, employed by the state, any county, city, town, municipal corporation or quasi-municipal corporation, political subdivision, or any instrumentality thereof shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars an hour, and beginning the calendar year 1976 at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977 at a rate of not less than two dollars and thirty cents an hour.

(3) Any individual eighteen years of age or older engaged in performing services in a nursing home licensed pursuant to chapter 18.51 RCW, shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars and ten cents an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977, at a rate of not less than two dollars and thirty cents an hour.

(4) Any individual eighteen years of age or older engaged in performing services in a hospital licensed pursuant to chapter 70.41 RCW, or chapter 71.12 RCW, shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars and ten cents an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977 at a rate of not less than two dollars and thirty cents an hour.

(5) Any individual eighteen years of age or older employed in a retail or service establishment and who is so employed primarily in connection with the preparation or offering of food or beverages for human consumption, either on the premises, or by such services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs shall be paid wages beginning with September 1, 1975, at a rate of not less than two dollars an hour, and beginning the calendar year 1976, at a rate of not less than two dollars and twenty cents an hour, and beginning the calendar year 1977, at a rate of not less than two dollars and thirty cents an hour.)"

Beginning on page 1, line 1 of the title strike "adding a new section to chapter 49.46 RCW" and insert "amending section 2, chapter 294, Laws of 1959 as last amended by section 2, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.020"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Voting nay: Representatives Betrozoff, Chandler, Clayton, Patrick, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1584 Prime Sponsor, Representative Grimm: Authorizing access restrictions to certain public lands for the protection of municipal water supplies. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Broback, Brough, Charnley, Ebersole, Grimm, Hine, Smitherman and Van Dyken.

Voting nay: Representatives Ballard, Chandler, Egger, Garrett, Isaacson, Todd and Van Luven.

Absent: Representative Allen.

Passed to Committee on Rules for second reading.

February 2, 1984

HB 1618 Prime Sponsor, Representative D. Nelson: Revising provisions relating to waste management systems. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Long, Miller, Moon, Pruitt and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Fuhrman, Hastings, Isaacson, Nealey and Van Luven.

Absent: Representative Scott.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1619 Prime Sponsor, Representative Sutherland: Permitting workers' compensation claimants to review their files. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Berozoff, Chandler, Clayton, Patrick, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1625 Prime Sponsor, Representative Jacobsen: Prohibiting mandatory measured telephone service rates. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Hastings, Isaacson, Jacobsen, Locke, Long, Miller, Nealey, Pruitt, Scott and Van Luven.

Absent: Representatives Fuhrman, Moon and Sutherland.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1671 Prime Sponsor, Representative Sutherland: Requiring certain sanitary facilities at construction sites. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5 strike "five hundred thousand" and insert "one million"

On page 1, line 6 strike "thirty" and insert "sixty"

On page 2, after line 6 insert a new section as follows:

"NEW SECTION. Sec. 5. This act shall take effect on January 1, 1985."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Berozoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Voting nay: Representative Struthers.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1676 Prime Sponsor, Representative Brekke: Removing limitation triggers for extended unemployment compensation benefits. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Voting nay: Representatives Berozoff, Chandler, Clayton, C. Smith and Struthers.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1702 Prime Sponsor, Representative Appelwick: Authorizing state park passes and fishing licenses for disabled persons. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, P. King, McClure, McMullen, Miller, Mitchell, Sanders, Sayan, L. Smith, Sommers, Sutherland, Vekich and B. Williams.

Absent: Representatives Fuhrman, Isaacson, Johnson, Tanner, Vekich and Wilson.

Passed to Committee on Rules for second reading.

February 3, 1984

HB 1758 Prime Sponsor, Representative D. Nelson: Relating to joint development of thermal power facilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Bond, Fuhrman, Gallagher, Jacobsen, Locke, Miller, Moon, Nealey, Pruitt, Scott and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Hastings, Isaacson and Long.

Voting nay: Representatives Barnes, Hastings, Isaacson, Long and Van Luven.

Passed to Committee on Rules for second reading.

February 3, 1984

HJM 39 Prime Sponsor, Representative D. Nelson: Requesting the department of energy to review other radioactive waste sites. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Long, Moon, Pruitt and Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Nealey and Van Luven.

Voting nay: Representative Barnes, Bond, Hastings, Long, Nealey and Van Luven.

Absent: Representative Sutherland.

Passed to Committee on Rules for second reading.

February 3, 1984

SSB 3868 Prime Sponsor, Committee on Agriculture: Expanding the authority of irrigation districts. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

On page 4, after line 1, insert the following:

"Sec. 5. Section 1, chapter 62, Laws of 1981 and RCW 87.03.018 are each amended to read as follows:

Two or more irrigation districts may create a separate legal authority to carry out any or all of the powers described in RCW 87.03.015. To enable such a legal authority to carry out its delegated powers, the irrigation districts creating the authority may assign, convey, or otherwise transfer to it any or all of their respective property, rights, or obligations, including, without limitation, the power to issue revenue obligations and the power of condemnation. Such a legal authority shall be created and organized by contract in the manner described in chapter 39.34 RCW and shall be a separate legal entity.

A separate legal authority shall only have power to incur indebtedness that is repayable from rates, tolls, charges, or contract payments for services or electricity provided by the authority and to pledge such revenues for the payment and retirement of indebtedness issued for the construction or acquisition of hydroelectric facilities. An authority shall not have power to levy taxes or to impose assessments for the payment of obligations of the authority. Every bond or other evidence of indebtedness issued by an authority shall provide (1) that repayment shall be limited solely to the revenues of the authority; and (2) that no member of the authority shall be obligated to repay directly or indirectly any obligation of the authority except to the extent of fair value for services actually received from the authority. No member may pledge its revenues to support the issuance of revenue bonds or other indebtedness of an authority. This section shall not be construed to prohibit members of an authority from paying the necessary expenses of organizing and administering the authority and of studies performed, applications prepared, and consultants retained with regard to projects the authority is studying, developing, constructing, or operating."

On page 1, on line 6 of the title, after "87.03.460;" insert "; amending section 1, chapter 62, Laws of 1981 and RCW 87.03.018;"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Dickie, Egger, Galloway, Holland, Nealey, Prince, C. Smith and Todd.

Voting nay: Representative Moon.

Absent: Representatives Ballard and Ebersole.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 1600, by Representatives Brekke, O'Brien, Braddock, Sayan, Fisch, Rust, Todd and Grimm

Revising provisions relating to the veterans' home and the soldiers' home.

The bill was read the second time. On motion of Mr. Kreidler, Second Substitute House Bill No. 1600 was substituted for House Bill No. 1600, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1600 was read the second time.

On motion of Ms. Brekke, the following amendments by Representatives Brekke and Sanders were adopted:

On page 1, line 21 after "nursing" strike "home" and insert "facility"

On page 1, line 22 after "nursing" strike "home" and insert "facility"

On page 2, line 3 after "nursing" strike "home" and insert "facility"

On page 2, line 9 after "nursing" strike "home" and insert "facility"

On page 2, line 20 after "nursing" strike "home" and insert "facility"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke, Struthers and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1600, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Fuhrman, Smith L, Tanner - 3.

Excused: Representatives Ballard, West - 2.

Second Substitute House Bill No. 1600, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1266, by Representatives Kreidler, Van Dyken, Van Luven, Braddock, Belcher, Miller, Allen, Lewis, Long, Patrick, Vander Stoep, Zellinsky, Fisher, Powers, Sanders, McMullen, Barrett, Dellwo, O'Brien, Struthers, Taylor, Wang, Hastings, P. King, Fuhrman, Mitchell, Ebersole, Betzoff, Schmidt, Halsan, Todd, Tanner and Schoon (by Secretary of State and by Department of Veterans Affairs request)

Creating a memorial honoring Washington residents who died or are missing in action in southeast Asia.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 1266 was substituted for House Bill No. 1266, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1266 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler, Miller, Van Luven, Stratton, Braddock and Fuhrman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1266, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Substitute House Bill No. 1266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1517, by Representatives McMullen, Appelwick, Niemi and Armstrong

Modifying provisions relating to executive conflicts of interest.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1517, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

House Bill No. 1517, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1367, by Representatives Garrett, Hankins, Kreidler, Lux, Sayan and Hine

Authorizing health insurance coverage for local government retirees and dependents.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1367 was substituted for House Bill No. 1367, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1367 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Garrett and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1367, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Substitute House Bill No. 1367, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 1519, by Representatives Brekke and Wang

Extending aid to families with dependent children.

The bill was read the second time.

Mr. Fiske moved adoption of the following amendment by Representatives Fiske and Cantu:

On page 2, following line 6 insert "within appropriated funds and"

Representatives Fiske, Cantu and G. Nelson spoke in favor of the amendment, and Ms. Brekke spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Fiske and Cantu to House Bill No. 1519, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; excused, 2.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Williams B, Williams J, Wilson, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 48.

Excused: Representatives Ballard, West - 2.

House Bill No. 1519 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1137, by Representatives Kreidler, Fiske, Dellwo, Stratton, Wang, McClure, Braddock, Ballard, Niemi, Belcher, Broback, Johnson, R. King, Lewis, Mitchell, Silver, Van Dyken, West, Wilson, Long, Brekke, Barrett, Lux, Miller and Addison

Authorizing demonstration projects on respite care services.

The bill was read the second time. On motion of Mr. Kreidler, Second Substitute House Bill No. 1137 was substituted for House Bill No. 1137, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1137 was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 2, line 5 strike "including" and all language down to and including "adults" on line 7.

Representatives Braddock and Kreidler spoke in favor of the amendment, and it was adopted.

Mr. Braddock moved adoption of the following amendment:

On page 2, line 13 strike "persons participating" and insert "eligible participants"

Representatives Braddock and Kreidler spoke in favor of the amendment, and it was adopted.

Mr. Braddock moved adoption of the following amendment:

On page 2, line 16 after "adult" insert ", with emphasis on social day care"

Representatives Braddock and Niemi spoke in favor of the amendment, and Representatives Lewis, Kreidler and Fiske spoke against it.

Mr. Braddock spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Braddock moved adoption of the following amendment:

On page 2, after line 32 insert the following:

"(4) 'Secretary' means the secretary of the department of social and health services.

(5) 'Social day care' means services designed to serve persons who are: (a) living with their families, cannot be left unsupervised, and are at risk of being placed in a twenty-four hour care facility if their families do not receive some relief from constant care, or (b) socially isolated, in need of social contacts, and unable to use other community resources which provide socialization services."

POINT OF ORDER

Mr. Lewis: "Mr. Speaker, I'm wondering if this amendment is worthy since there is no sign of special day care in this bill?"

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Lewis, the Speaker doesn't think your point is well taken. It is up to the body to determine whether or not this amendment has merit."

Mr. Lewis: "I was wondering, since it is in the definition section and there is no previous citation to special day care, if the amendment is still in order?"

The Speaker (Mr. O'Brien presiding): "That question has to be resolved by the body, to determine whether it's inconsistent or ambiguous or immaterial. That's the determination of the membership."

Mr. Braddock spoke in favor of the amendment, and Mr. Kreidler spoke against it.

The amendment was not adopted.

Mr. Braddock moved adoption of the following amendment:

On page 3, line 1 strike "The" and all language down to and including "providers." on line 3.

Mr. Braddock spoke in favor of the amendment, and Representatives Lewis and J. King spoke against it.

The amendment was not adopted.

Ms. Stratton moved adoption of the following amendment:

On page 3, line 11 after "1985" insert "At least one of the selected area agencies on aging shall be east of the crest of the Cascade range."

Representatives Stratton and Kreidler spoke in favor of the amendment, and it was adopted.

Mr. Braddock moved adoption of the following amendments:

On page 2, line 34 strike "5" and insert "7"

On page 3, line 1 strike "5" and insert "7"

On page 3, strike sections 5 and 6 on lines 8 through 16 and insert the following:

"NEW SECTION, Sec. 5. (1) The department of social and health services shall select at least one area agency on aging in western Washington and at least one area agency in eastern Washington to implement the respite care program during the demonstration project. These agencies shall:

(a) Maintain such data which indicates demand for respite care, and which includes information on in-home and out-of-home day care and in-home and out-of-home overnight care demand;

(b) Make a comparison of the relative cost-effectiveness of the several types of respite care with all other programs and services which are intended to forestall institutional care; and institutional care; and

(c) Conduct a survey of all public assistance patients accepted by long-term care facilities in the project area during the first year to determine the extent to which each of them availed themselves of services which are designed to defer institutionalization.

(2) The department shall report to the appropriate committees of the senate and house of representatives on the respite care program authorized by this act before January 9, 1985.

NEW SECTION, Sec. 6. The department of social and health services shall insure that the respite care program is designed to meet the following criteria:

(1) Make use of services which provide care to the greatest number of eligible participants with the fewest number of staff consistent with adequate care;

(2) Provide for use of one-on-one care;

(3) Provide for both day care and overnight care;

(4) Provide personal care to continue at the same level which the caregiver ordinarily provides to the eligible participant;

(5) Decentralize day care to minimize transportation requirements; and

(6) Provide for the utilization of family home settings.

NEW SECTION, Sec. 7. The secretary shall apply for a waiver to allow for maximum utilization of federal social security Title XIX funds for social day care and respite care."

Renumber the remaining sections consecutively.

Mr. Braddock spoke in favor of the amendments, and Representatives Kreidler and Lewis spoke against them.

The amendments were not adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler and Fiske spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1137, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Engrossed Second Substitute House Bill No. 1137, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1302, by Representatives Sutherland, Ellis, Nealey, Dickie, Prince, Barrett, Egger, Lewis, Fuhrman, C. Smith and Clayton

Extending trespass violations to land devoted to commercial production of livestock or agricultural commodities.

The bill was read the second time. On motion of Mr. Kaiser, Substitute House Bill No. 1302 was substituted for House Bill No. 1302, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1302 was read the second time.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders, Prince, C. Smith, Kaiser and Sutherland:

On page 1, line 27 strike "crop residue."

Representatives Sanders and Kaiser spoke in favor of the amendment and the amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sutherland and C. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1302, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Engrossed Substitute House Bill No. 1302, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1655, by Representatives Belcher, Kreidler, Lewis, Allen, Miller, Wang, Galloway, Halsan and Jacobsen

Establishing a child care demonstration project for state employees.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1655 was substituted for House Bill No. 1655, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1655 was read the second time.

On motion of Mr. Van Dyken, the following amendments were adopted:

On page 1, line 5 strike "is a worthwhile pursuit. To further the goals of" and insert "may be a worthwhile pursuit. To determine the need for"

On page 1, line 8 after "to establish a" insert "self supporting"

On page 1, after line 15 insert:

"The department of general administration shall establish a fair rental rate for the nonprofit organization to pay for the space used."

On page 1, line 13 strike "a suitable amount of available" and insert "an amount of suitable surplus"

On page 1, line 22 following "(3)" insert "if the suitable surplus space is determined to be available."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1562:

The House resumed consideration of the bill on second reading.

On motion of Mr. Kreidler, the following amendment to the title of the bill was adopted:

On page 1, line 2 of the title after "; and" insert "amending section 3, chapter 164, Laws of 1971 ex. sess., section 4, chapter 183, Laws of 1973 1st ex. sess., section 371, chapter 141, Laws of 1979, section 4, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.030;"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1562, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Engrossed House Bill No. 1562, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1297, by Representatives Kreidler and Betzoff

Permitting replacement of inactive members of the state centennial commission and establishing financial procedures for the commission.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 1297 was substituted for House Bill No. 1297, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1297 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Betzoff: "Representative Kreidler, you are aware, as a member of the Centennial Commission, that the Commission has been somewhat concerned about its authority. In creating the Commission, the Legislature made it clear that it was intended to be advisory to the Legislature and to the Governor. In constructing an effective program to be presented to the Legislature and Governor, the Commission has found it necessary to coordinate with the five other states who also have centennial celebrations. They have found it necessary to contact a wide variety of organizations, and without actually committing the state of Washington to any firm agreements, to ask that Washington's centennial be included in their plans. My question is: Do you believe the commission has exceeded its statutory charge?"

Mr. Kreidler: "Absolutely not. 1989 may seem to be a long way off, but coordination of the various historical societies and museums, interested citizens groups, county and city councils and so on, requires considerable lead time. Five years lead time is awfully short to plan successfully for events of statewide interest. The commission is charged by law with submitting a proposed bond issue to this Legislature. In order to do this for the 1985 session, the Commission must work with local governments to fit in their respective planning. Pacific Rim planning is already going on so the Centennial Commission should become involved with the forthcoming Pacific Rim conferences and exhibits. In order to be a success, the 1989 celebration ought also to be fun, so planning for events like centennial games requires negotiating with various amateur athletic groups. This all requires advance planning. Successful formulation of the plan required by law necessarily implies these kinds of activities. In addition, the real reason for including members of all four caucuses on the Commission is to provide actual legislative input."

Mr. Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1297, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Substitute House Bill No. 1297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 229, by Representatives Charnley, Dellwo, Allen, Rust, Pruitt, Burns, Patrick, Walk, Sanders, Kaiser, D. Nelson, Lux, Long, Jacobsen, Sommers, Brekke, Appelwick, Miller, Haugen, Brough, Silver, Addison and Todd

Restricting smoking in public areas.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 229 was substituted for House Bill No. 229, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 229 was read the second time.

The Clerk read the following amendment by Representative Struthers:

On page 3, following line 34 insert a new section as follows:

***NEW SECTION.** Sec. 9. Any employer who is subject to the Washington state business and occupation tax who must make capital improvements for the purpose of complying with this act, shall not be required to conform with this act, until such time as the state of Washington has provided that employer with one-half the moneys necessary to make such capital improvements.*

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Struthers withdrew the amendment.

Mr. Barrett moved adoption of the following amendment:

On page 3, after line 34 insert:

***NEW SECTION.** Sec. 9. Any employer who is subject to the act who must make capital improvements for the purpose of complying with this act, shall not be required to conform with this act until such time as the nonsmokers who are employed by that employer have provided their employer with one-half the moneys necessary to make such capital improvements.*

Renumber the remaining sections consecutively.

Representative Barrett spoke in favor of the amendment, and Representatives Kreidler and Lewis spoke against it.

Mr. Barrett spoke again in favor of the amendment, and Mr. Kreidler again opposed it.

The amendment was not adopted.

On motion of Mr. Dellwo, the following amendment was adopted:

On page 1, line 16 after "means" insert "that portion of"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1380, by Representatives Hine, Brough, Moon, Charnley and Todd

Modifying provisions relating to boundary review boards.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1380 was substituted for House Bill No. 1380, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1380 was read the second time.

On motion of Mr. G. Nelson, the following amendments were adopted:

On page 3, line 21 strike all of section 4 and renumber the remaining sections consecutively.

On page 1, line 6 of the title after "36.93.110;" strike all material through "36.93.120;" on line 8.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Brough, Van Dyken and Todd spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1380, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruiitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Engrossed Substitute House Bill No. 1380, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1125, by Representatives McClure, Lewis, Sayan, Smitherman, Braddock, Niemi, Dellwo, Ballard, Wang, Brough, Ebersole, Fisher, Jacobsen, J. King, Patrick, Tanner, Vekich, Brekke, Ellis, Barrett, Miller, Halsan and L. Smith

Including certain children in the definition of acutely mentally ill.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 1125 was substituted for House Bill No. 1125, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1125 was read the second time.

On motion of Mr. McClure, the following amendments by Representatives McClure and Lewis were adopted:

On page 1, line 11 strike "children and family"

On page 1, beginning with "whether" on line 21 strike all the material down to and including "delivery" on line 23 and insert "current methods of delivery of children's mental health and related services"

On page 2, line 9 after "needs" strike the remainder of the section and insert "for children's mental health and related services"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McClure and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1125, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruiitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott,

Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Engrossed Substitute House Bill No. 1125, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 69, by Representatives Wang, Johnson, Burns, Niemi, Allen, Locke, Patrick, Smitherman, O'Brien, Fisher, D. Nelson, Belcher, Lux, Egger, Powers, Rust, Addison, Charnley, McClure and Lewis

Providing for Martin Luther King, Jr.'s birthday as a state and school holiday.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 69 was substituted for House Bill No. 69, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 69 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, after line 22 insert:

"Sec. 2. Section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 77, Laws of 1979 and RCW 1.16.050 are each amended to read as follows:

The following are legal holidays: Sunday; the first day of January, commonly called New Year's Day; the third Monday of January, being celebrated as the anniversary of the birth of Martin Luther King, Jr.; the twelfth day of February, being the anniversary of the birth of Abraham Lincoln; the third Monday of February, being celebrated as the anniversary of the birth of George Washington; the last Monday of May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the eleventh day of November, to be known as Veterans' Day; the fourth Thursday in November, to be known as Thanksgiving Day; the day immediately following Thanksgiving Day; and the twenty-fifth day of December, commonly called Christmas Day.

~~((Employees of the state and its political subdivisions, except employees of school districts and except those nonclassified employees of institutions of higher education who hold appointments or are employed under contracts to perform services for periods of less than twelve consecutive months, shall be entitled to one paid holiday per calendar year in addition to those specified in this section. Each employee of the state or its political subdivisions may select the day on which the employee desires to take the additional holiday provided for herein after consultation with the employer pursuant to guidelines to be promulgated by rule of the appropriate personnel authority, or in the case of local government by ordinance or resolution of the legislative authority.))~~

If any of the above specified state legal holidays are also federal legal holidays but observed on different dates, only the state legal holidays shall be recognized as a paid legal holiday for employees of the state and its political subdivisions except that for port districts and the law enforcement and public transit employees of municipal corporations, either the federal or the state legal holiday, but in no case both, may be recognized as a paid legal holiday for employees.

Whenever any legal holiday, other than Sunday, falls upon a Sunday, the following Monday shall be the legal holiday.

Whenever any legal holiday falls upon a Saturday, the preceding Friday shall be the legal holiday.

Nothing in this section shall be construed to have the effect of adding or deleting the number of paid holidays provided for in an agreement between employees and employers of political subdivisions of the state or as established by ordinance or resolution of the local government legislative authority.

The legislature declares that the twelfth day of October shall be recognized as Columbus Day but shall not be considered a legal holiday for any purposes.

Sec. 3. This act shall take effect January 1, 1986.

Mr. Tilly spoke in favor of the amendment, and Mr. Wang spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Tilly to Substitute House Bill No. 69, and the amendment was not adopted by the following vote: Yeas, 17; nays, 79; excused, 2.

Voting yea: Representatives Addison, Barnes, Barrett, Bond, Dickie, Hankins, Hastings, Isaacson, Lewis, Mitchell, Nelson G, Sanders, Smith L, Struthers, Tilly, Van Dyken, Williams B - 17.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams J, Wilson, Zellinsky, and Mr. Speaker - 79.

Excused: Representatives Ballard, West - 2.

Substitute House Bill No. 69 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1700, by Representatives Schmidt, Zellinsky, Hankins and Wilson

Providing standards for federal employees in state emergency medical care and transportation.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1700 was substituted for House Bill No. 1700, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1700 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Schmidt and Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1700, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Substitute House Bill No. 1700, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1542, by Representatives P. King and Moon

Establishing procedures for declaratory judgments on local government ordinances.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 1542 was substituted for House Bill No. 1542, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1542 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1542, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,

Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Ebersole, Garrett - 2.

Excused: Representatives Ballard, West - 2.

Substitute House Bill No. 1542, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) called on Mr. Wang to preside.

HOUSE BILL NO. 1605, by Representatives Kreidler, Lewis, Isaacson, Miller and Hankins

Requiring the secretary of social and health services to investigate certain persons and agencies regarding care and treatment of children, expectant mothers, and developmentally disabled persons.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1605 was substituted for House Bill No. 1605, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1605 was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Kreidler, as I read the bill, we're talking about 'agencies' on page 1, line 23, but then I see under the criteria, we're talking about 'investigating persons' and trying to 'authorize that person.' We had the example of a developmentally disabled mother in a hospital who wanted to go home to be taken care of by her children, and the state wouldn't let the mother leave the hospital because the state said the children weren't capable of taking care of her. Does this bill assist the state in preventing the children of a parent in caring for the parent?"

Mr. Kreidler: "Representative Sanders, I'm not one hundred percent sure if I understand the question, but let me say that in this bill, we have attempted to clarify that we're not trying to prevent people who are the parents and relatives, and so forth, from being encumbered and having this kind of background investigation. In fact, we have specifically exempted them from having that kind of requirement. It is only for those people who would be placed into other people's care. It would be more of an institutional-type setting."

Mr. Isaacson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1605, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Substitute House Bill No. 1605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 914, by Representatives West and Dellwo

Changing the mechanics' and materialmen's lien laws to provide increased protection for subcontractors and lien claimants.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 914 was substituted for House Bill No. 914, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 914 was read the second time.

On motion of Mr. Dellwo, the following amendments by Representatives Dellwo and West were adopted:

On page 2, line 28 after "within" strike ": (a) Twenty" and insert "((twenty)) five"

On page 2, line 29 after "order" strike everything through "act," on line 30.

On page 4, beginning on line 36 strike all of subsection (b).

On page 4, line 25 after "of" strike everything through "the" on line 28 and insert "the office of the lender administering the interim"

Mr. Broback moved adoption of the following amendment:

On page 4, strike lines 33 through 35.

Mr. Broback spoke in favor of the amendment, and Mr. Dellwo spoke against it.

Mr. Broback spoke again in favor of the amendment, and Representatives Padden and Sanders opposed it.

The amendment was not adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1258, by Representatives Ebersole, Walk, Smitherman, Broback, Monohon, Fuhrman, Johnson, Long, Powers, Sanders, Todd, Wang, Sayan and Schoon

Revising the definition of veterans eligible for certain benefits.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day, February 3, 1984.)

On motion of Ms. Niemi, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Chandler, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1258, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Strulhers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Engrossed House Bill No. 1258, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1687, by Representatives Locke, Padden, Belcher and Tanner
Penalizing custodial interference.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1687 was substituted for House Bill No. 1687, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1687 was read the second time.

Mr. Halsan moved adoption of the following amendments by Representatives Halsan, McMullen, Tilly, Padden and Wang:

On page 2, line 29 after "section 1" strike "or 2" and insert ", 2, or 7"

On page 2, line 30 after "first" strike "or second" and insert ", second, or third"

On page 3, line 3 after "section 1" strike "or 2" and insert ", 2, or 7"

On page 5, after line 22, insert the following new section:

"NEW SECTION. Sec. 7. There is added to chapter 9A.40 RCW a new section to read as follows:

(1) A relative of a person is guilty of custodial interference in the third degree if, with the intent to deny access to such person by a parent, guardian, institution, agency, or other person having specific visitation rights to such person as set out in a court order or decree, the relative takes, entices, retains, detains, or conceals the person from a parent, guardian, institution, agency, or other person having specific visitation rights to such person as set out in a court order or decree.

(2) The first conviction of custodial interference in the third degree is a misdemeanor. The second or subsequent conviction of custodial interference in the third degree is a gross misdemeanor."

Renumber the remaining sections accordingly.

Representatives Halsan, P. King and Tanner spoke in favor of the amendments, and Representatives Locke, Appelwick and Niemi spoke against them.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Halsan.

Mr. Halsan: "Representative Locke, you mentioned in your discussion that you feel that the situation of specific rights of visitation is already covered by the definition stating lawful right to physical custody. Is that correct?"

Mr. Locke: "Yes, that's correct."

Mr. Halsan: "If a custodial parent were charged or brought to court twice, with my amendment attached to this bill, what would be condition on the second time into court be? A gross misdemeanor?"

Mr. Locke: "It would be a class C felony, but with your amendment it would be a gross misdemeanor."

Mr. Halsan: "If the amendment is not adopted and your interpretation of the definition of lawful right to physical custody, in fact, covers the situation of visitation, on the second time into court what would the custodial parent be charged with?"

Mr. Locke: "It could be a class C felony."

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Padden.

Mr. Padden: "Representative Appelwick, is visitation included within the definition of custody as it pertains to this legislation?"

Mr. Appelwick: "Notwithstanding the remarks of the previous speaker, Title 26.16.190 regards visitation rights as separate and distinct from custody rights. There would not be a merger, and denial of visitation cannot be anything giving rise to a felony under the act as proposed without the amendment."

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Halsan and others to Substitute House Bill No. 1687, and the amendments were not adopted by the following vote: Yeas, 44; nays, 52; excused, 2.

Voting yea: Representatives Addison, Barnes, Bond, Broback, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King P, King R, Lewis, McMullen, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Smith C, Smith L, Stratton, Tanner, Tilly, Van Dyken, Van Luven, Vander Stoep, Wang, Williams B, Williams J, Wilson, Zellinsky - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Locke, Long, Lux, McClure, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sayan, Scott, Silver, Smitherman, Sommers, Struthers, Sutherland, Taylor, Todd, Vekich, Walk, and Mr. Speaker - 52.

Excused: Representatives Ballard, West - 2.

On motion of Mr. Van Dyken, the following amendment was adopted:

On page 3, line 7 following "act." insert "The law enforcement officer shall make every reasonable effort to avoid placing additional trauma on the child by obtaining such custody at times and in a manner least disruptive to the child."

Substitute House Bill No. 1687 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1666, by Representative Allen

Authorizing professionally designated real estate brokers to appraise certain public properties before the properties are sold.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1666 was substituted for House Bill No. 1666, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1666 was read the second time.

On motion of Ms. Allen, the following amendments were adopted:

On page 5, following line 7 insert:

"NEW SECTION. Sec. 5. 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 6 following "70.44.300" insert "; declaring an emergency"

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Allen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1666, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, West - 2.

Engrossed Substitute House Bill No. 1666, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1558, by Representatives Armstrong and West

Prohibiting teaching, exhibiting or demonstrating the use of or using firearms in civil disorders.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1558 was substituted for House Bill No. 1558, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1558 was read the second time.

On motion of Mr. Armstrong, the following amendments by Representatives Lewis and Armstrong were adopted:

On page 1, line 10 after "for" insert "violent"

On page 1, line 17 after "for" insert "violent"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1409, by Representative Prince

Including driving records of owner-operators within the employment driving record.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 1, 1984.)

On motion of Mr. Walk, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Prince spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1409, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Moon - 1.

Excused: Representatives Ballard, West - 2.

Engrossed House Bill No. 1409, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1234, by Representatives Jacobsen, Tilly, Charnley, Allen, Niemi, Belcher, Pruitt, Zellinsky, Lux, Ballard, Mitchell and Silver

Restricting the use of automated telephone dialing and message devices.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 1234 was substituted for House Bill No. 1234, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1234 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1435, by Representative Hankins

Providing for classification of certain consolidations of noncharter code cities.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1435 was substituted for House Bill No. 1435, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1435 was read the second time.

Ms. Hankins moved adoption of the following amendments by Representatives Hankins, Hine and Isaacson:

On page 3, after line 21 insert:

"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, line 2 after "RCW 35.10.211;" strike "and"

On page 1, line 3 after "35A.05 RCW" insert "; and declaring an emergency"

Representatives Hankins and Moon spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hankins, Isaacson and Hine spoke in favor of passage of the bill, and Mr. Hastings spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1435, and the bill passed the House by the following vote: Yeas, 85; nays, 11; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Bond, Chandler, Fuhrman, Gallagher, Hastings, Nealey, Padden, Prince, Sanders, Taylor, Van Luven - 11.

Excused: Representatives Ballard, West - 2.

Engrossed Substitute House Bill No. 1435, having received the 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 Mr. Heck, the House adjourned until 10:00 a.m., Monday, February 6, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 6, 1984

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske and Vekich. Representative Vekich was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Boy Scout Leaders John Krump, Fort Simcoe Area Council in Yakima and Michael Olson, Inland Empire Council in Spokane. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

February 3, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3208,
 ENGROSSED SENATE BILL NO. 3488,
 SUBSTITUTE SENATE BILL NO. 3654,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3800,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4055,
 SUBSTITUTE SENATE BILL NO. 4110,
 SENATE BILL NO. 4291,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4302,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4303,
 SENATE BILL NO. 4304,
 SENATE BILL NO. 4312,
 SUBSTITUTE SENATE BILL NO. 4326,
 SUBSTITUTE SENATE BILL NO. 4332,
 SUBSTITUTE SENATE BILL NO. 4334,
 ENGROSSED SENATE BILL NO. 4335,
 SENATE BILL NO. 4341,
 SENATE BILL NO. 4347,
 SENATE BILL NO. 4348,
 SENATE BILL NO. 4351,
 SENATE BILL NO. 4361,
 SUBSTITUTE SENATE BILL NO. 4362,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4373,
 SENATE BILL NO. 4374,
 SENATE BILL NO. 4376,
 SECOND SUBSTITUTE SENATE BILL NO. 4380,
 ENGROSSED SENATE BILL NO. 4394,
 ENGROSSED SENATE BILL NO. 4410,
 ENGROSSED SENATE BILL NO. 4415,
 SENATE BILL NO. 4426,
 SENATE BILL NO. 4428,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4443,
 SENATE BILL NO. 4445,
 SENATE BILL NO. 4469,
 SENATE BILL NO. 4463,
 SENATE BILL NO. 4475,
 ENGROSSED SENATE BILL NO. 4504,
 SUBSTITUTE SENATE BILL NO. 4512,
 ENGROSSED SENATE BILL NO. 4513,
 SUBSTITUTE SENATE BILL NO. 4541.

SUBSTITUTE SENATE BILL NO. 4559,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4576,
 SENATE BILL NO. 4619,
 SUBSTITUTE SENATE BILL NO. 4628,
 ENGROSSED SENATE BILL NO. 4637,
 ENGROSSED SENATE BILL NO. 4639,
 SENATE BILL NO. 4640,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4647,
 SENATE BILL NO. 4650,
 SENATE BILL NO. 4651,
 SUBSTITUTE SENATE BILL NO. 4708,
 SENATE BILL NO. 4711,
 SENATE BILL NO. 4730,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4775,
 ENGROSSED SENATE BILL NO. 4776,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4794,
 SENATE BILL NO. 4800,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4829,
 SENATE JOINT MEMORIAL NO. 124,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

ESB 3208 by Senators Talmadge, Clarke, Bottiger and McDermott

Increasing judges' salaries.

Referred to Committee on Ways & Means

ESB 3488 by Senators Rinehart, Hughes, Pullen, Goltz, Kiskaddon, Gaspard, Paterson and Warnke

Removing the extra charge for students registered for more than eighteen credit hours.

Referred to Committee on Higher Education

SSB 3654 by Committee on Judiciary (originally sponsored by Senators Talmadge, McCaslin and McManus; by Department of Social and Health Services request)

Modifying procedures relating to criminally insane persons.

Referred to Committee on Judiciary

ESSB 3800 by Committee on Natural Resources (originally sponsored by Senator Owen)

Modifying provisions relating to fishing licenses.

Referred to Committee on Natural Resources

ESSB 4055 by Committee on Transportation (originally sponsored by Senator Peterson)

Authorizing bonds for highway construction in Grant county.

Referred to Committee on Transportation

SSB 4110 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Sellar, Rasmussen and Wojahn; by Attorney General request)

Modifying various provisions regarding cemeteries.

Referred to Committee on State Government

- SB 4291 by Senators Shinpoch, Zimmerman and McDermott; by Legislative Budget Committee request
- Repealing the veterans' loan insurance program.
- Referred to Committee on State Government
- ESSB 4302 by Committee on Social & Health Services (originally sponsored by Senators McManus and Moore)
- Modifying the practice of pharmacy.
- Referred to Committee on Social & Health Services
- ESSB 4303 by Committee on Social & Health Services (originally sponsored by Senators McManus, Woody, Wojahn, Bender, Gaspard and Bauer)
- Requiring the person owing child support to pay certain fees if DSHS collects the support.
- Referred to Committee on Social & Health Services
- SB 4304 by Senator Talmadge
- Modifying the laws governing the redistricting commission.
- Referred to Committee on Constitution, Elections & Ethics
- SB 4312 by Senators Talmadge and Hemstad; by Public Disclosure Commission request
- Restructuring financial disclosure reporting requirements.
- Referred to Committee on Constitution, Elections & Ethics
- SSB 4326 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Newhouse and Hemstad; by Employment Security Department Request)
- Re-defining the permissible political activities in which employment security department employees may engage.
- Referred to Committee on Constitutions, Elections & Ethics
- SSB 4332 by Committee on Financial Institutions (originally sponsored by Senators Moore, Warnke and Sellar; by Public Deposit Protection Commission request)
- Modifying provisions relating to public depositaries.
- Referred to Committee on Financial Institutions & Insurance
- SSB 4334 by Committee on Local Government (originally sponsored by Senators Owen, Peterson, McManus, Thompson and Talmadge)
- Authorizing cities and counties to purchase liability and industrial insurance for offenders performing community service.
- Referred to Committee on Local Government
- ESB 4335 by Senator Owen
- Providing civil immunity for physicians reporting disabilities of persons licensed to operate aircraft.
- Referred to Committee on Judiciary
- SB 4341 by Senators Thompson and Barr
- Permitting special district employee group insurance for groups of less than ten employees.
- Referred to Committee on Local Government

SB 4347 by Senators Owen, Peterson, McManus, Bender, Hughes, Moore and Bauer

Extending eligibility for reduced utility rates to low income disabled veterans and low income blind or disabled citizens.

Referred to Committee on Energy & Utilities

SB 4348 by Senator Vognild

Modifying provisions relating to class K liquor licenses.

Referred to Committee on Commerce & Economic Development

SB 4351 by Senators Gaspard, Guess, Goltz and Talmadge

Adding members to the high-technology coordinating board.

Referred to Committee on Commerce & Economic Development

SB 4361 by Senators Talmadge and Hemstad

Modifying provisions relating to emergency assistance.

Referred to Committee on Judiciary

SSB 4362 by Committee on Judiciary (originally sponsored by Senators Hemstad, Talmadge, Fuller and Granlund)

Prescribing penalties for attempt to evade open alcohol container restrictions.

Referred to Committee on Judiciary

ESSB 4373 by Committee on Social & Health Services (originally sponsored by Senators McManus, Deccio, Wojahn, Conner, Sellar, Bottiger and Woody)

Revising child support laws.

Referred to Committee on Judiciary

SB 4374 by Senator Fleming

Modifying provisions on the taxation of public development authorities.

Referred to Committee on Ways & Means

SB 4376 by Senators Bender, Zimmerman and Thompson

Authorizing distribution of municipal sales and use tax equalization funds to cities and towns incorporated since January 1, 1983.

Referred to Committee on Local Government

2SSB 4380 by Committee on Ways & Means (originally sponsored by Senators Granlund, Hemstad and Deccio)

Adopting the criminal justice information act.

Referred to Committee on Judiciary

ESB 4394 by Senators Gaspard, Rinehart, Wojahn, Haley, von Reichbauer, Granlund, Rasmussen, Bottiger and Hemstad

Waiving community college fees for certain unemployed persons.

Referred to Committee on Higher Education

ESB 4410 by Senators Gaspard, Bauer, Kiskaddon, Bender, Hughes, Shinpoch and Conner

Providing a state clearinghouse for education information.

Referred to Committee on Education

- ESB 4415 by Senators Gaspard, Bauer, Kiskaddon, Bender, Hughes, Shinpoch and Conner
Providing for standardized high school transcripts and high school diplomas.
Referred to Committee on Education
- SB 4426 by Senator Talmadge
Eliminating the bond requirement in claims against the state.
Referred to Committee on Judiciary
- SB 4428 by Senators Owen and Fuller
Modifying the program to purchase fishing vessels and licenses.
Referred to Committee on Natural Resources
- ESSB 4443 by Committee on Natural Resources (originally sponsored by Senators Bottiger, Gaspard and Shinpoch)
Providing procedures for extinguishing claims to mineral interests.
Referred to Committee on Natural Resources
- SB 4445 by Senators Moore, Benitz, Hansen, Hayner and Newhouse
Allowing beer and wine producers to provide product information to consumers on licensed retail premises.
Referred to Committee on Commerce & Economic Development
- SB 4463 by Senators Peterson, Guess, Hansen and Patterson
Clarifying legislative intent on the taxation of special fuels delivered in the state but used outside the state by persons in interstate commerce.
Referred to Committee on Transportation
- SB 4469 by Senator Talmadge
Correcting a clerical error in statutes relating to polling places.
Referred to Committee on Constitutions, Elections & Ethics
- SB 4475 by Senators Peterson, Guess and Conner
Requiring a vehicle owner to notify the department of licensing of transfer of ownership.
Referred to Committee on Transportation
- ESB 4504 by Senators Shinpoch, McDonald and Conner; by Office of Financial Management and State Auditor request
Requiring a comprehensive state budgeting, accounting, and reporting system.
Referred to Committee on Ways & Means
- SSB 4512 by Committee on Education (originally sponsored by Senators Gaspard, Bauer and Goltz; by Superintendent of Public Instruction request)
Providing a student assessment program and a program for career planning.
Referred to Committee on Education
- ESB 4513 by Senators Clarke, Talmadge and Hemstad; by Secretary of State request
Modifying provisions relating to corporations.
Referred to Committee on Judiciary

- SSB 4541 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Woody, Wojahn, Granlund and Peterson)
Establishing provisions for relief from domestic violence.
Referred to Committee on Judiciary
- SSB 4559 by Committee on Judiciary (originally sponsored by Senators Talmadge, Guess, Bottiger, Metcalf and Hemstad - by Governor Spellman and Secretary of State request)
Revising qualifying procedures for indigent candidates.
Referred to Committee on Constitutions, Elections & Ethics
- ESSB 4576 by Committee on Education (originally sponsored by Senators Gaspard, Lee, Bauer, Wojahn, Benitz, Hayner, Zimmerman, McManus, Williams, Hemstad, Conner and Kiskaddon; by Governor Spellman request)
Providing programs for educational excellence.
Referred to Committee on Education
- SB 4619 by Senators Thompson, Zimmerman and Granlund
Modifying procedures for filling vacancies in the office of fire commissioner.
Referred to Committee on Local Government
- SSB 4628 by Committee on Local Government (originally sponsored by Senators Vognild, Newhouse and Conner)
Authorizing vacancies in sheriffs' offices to be filled by laid-off employees.
Referred to Committee on Local Government
- ESB 4637 by Senators Granlund and McCaslin - by Department of Social and Health Services request
Modifying child placement and review hearings.
Referred to Committee on Social & Health Services
- ESB 4639 by Senators McManus, Deccio, Moore, Wojahn, Granlund and Craswell
Establishing the joint select legislative committee on child protective services.
Referred to Committee on Social & Health Services
- SB 4640 by Senators Owen and Pullen
Providing for protection of hunters during legally established seasons.
Referred to Committee on Natural Resources
- ESSB 4647 by Committee on Social & Health Services (originally sponsored by Senators McManus, Kiskaddon and Deccio - by Department of Social and Health Services request)
Revising the state advisory committee to the department of social and health services.
Referred to Committee on Social & Health Services
- SB 4650 by Senators Thompson, Zimmerman and Granlund
Modifying provisions relating to burning permits issued by fire protection districts.
Referred to Committee on Local Government

- SB 4651 by Senators McManus and Deccio - by Department of Social and Health Services request
 Modifying provisions relating to collection of child support assigned to the department of social and health services.
 Referred to Committee on Social & Health Services
- SSB 4708 by Committee on Social & Health Services (originally sponsored by Senators McManus and Deccio - by Department of Social and Health Services request)
 Modifying methods of determining costs of operating state institutions.
 Referred to Committee on Social & Health Services
- SSB 4711 by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman and Granlund)
 Modifying and reorganizing provisions related to fire protection districts.
 Referred to Committee on Local Government
- SSB 4730 by Committee on Social & Health Services (originally sponsored by Senators Woody, Lee, Rinehart, Hayner, Wojahn, Hurley and Hemstad)
 Requiring the extension of health insurance coverage in child support orders under certain circumstances.
 Referred to Committee on Financial Institutions & Insurance
- ESSB 4775 by Committee on Parks & Ecology (originally sponsored by Senator Hughes)
 Establishing the parkland acquisition account.
 Referred to Committee on Environmental Affairs
- ESB 4776 by Senators Gaspard, Bauer, Lee and Hemstad
 Creating the life skills test.
 Referred to Committee on Education
- ESSB 4794 by Committee on State Government (originally sponsored by Senator Williams)
 Establishing the centennial partnership project.
 Referred to Committee on State Government
- SSB 4800 by Committee on State Government (originally sponsored by Senators Bottiger, Fleming, Hayner and Sellar)
 Coordinating joint legislative systems.
 Referred to Committee on State Government
- ESSB 4829 by Committee on Commerce & Labor (originally sponsored by Senator Vognild; by Emergency Commission on Economic Development request)
 Defining dislocated workers for purposes of unemployment compensation.
 Referred to Committee on Labor
- SJM 124 by Senators Talmadge, Hemstad and Moore
 Petitioning the United States Senate to ratify the Hague Convention regarding abduction of children.
 Referred to Committee on Judiciary

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-124, by Representatives West, Van Luven, Mitchell, Locke, G. Nelson, Tanner, Bond, Rust, Silver, Fisch, Addison, Brough, Cantu, Charnley, Crane, Dickie, Egger, Ellis, Fiske, Gallagher, Garrett, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzloff, Braddock, Broback, Burns, Chandler, Clayton, Dellwo, Ebersole, Ehlers, Fisher, Fuhrman, Galloway, Grimm, Halsan, Hastings, Heck, Holland, Jacobsen, Kaiser, P. King, Kreidler, Long, McClure, Miller, Monohon, Nealey, Padden, Powers, Pruitt, Sanders, Schmidt, Scott, C. Smith, Hankins, Haugen, Hine, Johnson, J. King, R. King, Lewis, Lux, McMullen, Moon, D. Nelson, O'Brien, Patrick, Prince, Sayan, Schoon, L. Smith, Smitherman, Stratton, Sutherland, Tilly, Vander Stoep, Vekich, Wang, J. Williams, Zellinsky, Sommers, Struthers, Taylor, Todd, Van Dyken, Walk, B. Williams, Wilson, Brekke, Niemi and Isaacson

WHEREAS, Sunday, February 5, 1984, marked the beginning of Boy Scout Anniversary week; and

WHEREAS, The theme of Boy Scout week is "Catch the Scouting Spirit"; and

WHEREAS, Wednesday, February 8, is the 74th anniversary of the Boy Scouts of America; and

WHEREAS, Since 1910 over 68 million people have participated in Boy Scouting programs; and

WHEREAS, Scouting promotes respect for God and country; and

WHEREAS, The Boy Scout law inspires people to always be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent; and

WHEREAS, Boy Scout programs have played a significant role in the lives of many of our national and state political leaders; and

WHEREAS, Former President Gerald R. Ford and U.S. Senator Daniel J. Evans both attained the rank of Eagle Scout; and

WHEREAS, Six members of this body, House Republican Leader Gary Nelson, Representatives Dick Bond, Gary Locke, Jim Mitchell, Joe Tanner and Steve Van Luven are Eagle Scouts; and

WHEREAS, Ninety percent of the state's Congressional delegation have been or are connected with Boy Scout programs; and

WHEREAS, Sixty-eight percent of the members of this body have participated in Boy Scouting;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize the valuable service the Boy Scouts of America perform for the youth of our state and our country; and

BE IT FURTHER RESOLVED, That the House of Representatives applaud all of our state Boy Scout Councils for a job well done; and

BE IT FURTHER RESOLVED, That the members of this body do all they can in their home districts to promote the programs and ideals of the Boy Scouts of America; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the National Office of The Boy Scouts of America in Irving, Texas; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Western Regional Office of the Boy Scouts in Sunnyvale, California; and

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the twelve Boy Scout Councils serving Washington State.

Mr. West moved adoption of the resolution. Representatives West, Van Luven, Hine and Mitchell spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker introduced Boy Scout Leader John Patrick Short, who briefly addressed the House.

MOTIONS

On motion of Mr. Heck, the House reverted to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 69, by Committee on State Government (originally sponsored by Representatives Wang, Johnson, Burns, Niemi, Allen, Locke, Patrick, Smitherman, O'Brien, Fisher, D. Nelson, Belcher, Lux, Egger, Powers, Rust, Addison, Charnley, McClure and Lewis)

Providing for Martin Luther King, Jr.'s birthday as a state and school holiday.

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

Mr. Wang spoke in favor of passage of the bill, and Representatives Tilly and Fuhrman spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 69, and the bill passed the House with the following vote: Yeas, 70; nays, 25; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Ballard, Barnes, Betrozoff, Bond, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Nealey, Padden, Schmidt, Schoon, Silver, Smith C, Struthers, Taylor, Tilly, West, Williams J, Wilson - 25.

Absent: Representatives Fiske, Moon - 2.

Excused: Representative Vekich - 1.

Substitute House Bill No. 69, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 229, by Committee on Social & Health Services (originally sponsored by Representatives Charnley, Dellwo, Allen, Rust, Pruitt, Burns, Patrick, Walk, Sanders, Kaiser, D. Nelson, Lux, Long, Jacobsen, Sommers, Brekke, Appelwick, Miller, Haugen, Brough, Silver, Addison and Todd)

Restricting smoking in public areas.

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

Representatives Charnley, Lewis, Brough, Isaacson, Long and Lux spoke in favor of passage of the bill, and Representatives Fuhrman, G. Nelson, Zellinsky and Clayton spoke against it.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Charnley, referring to page 3, section 6, about the violations, I'm assuming that this building will be covered by this law when it goes into effect?"

Mr. Charnley: "Representative Barrett, I do not believe it will be. The legislature has constitutionally, I think, excluded itself. We make our own rules; we make our own smoking rules."

Mr. Barrett: "If we were to meet someplace as a body, outside of this group--so I can kind of get an idea of this bill--if Representative Taylor should light up and we called a local law enforcement person, he could be fined \$100, right?"

Mr. Charnley: "No, you're wrong again. He would be warned and asked not to smoke, but first he would be asked not to, then he would be issued a warning ticket

and on the next day, if we had a meeting for two days and he was there smoking again, then he would be issued a ticket."

Mr. Barrett: "Representative Charnley, I don't understand in section 6(1), subsection (2), it says the operator has a warning, but 'any person essentially violating by removing or destroying a sign.' It's not by smoking, is that correct?"

Mr. Charnley: "That says, '...intentionally violating this chapter by smoking or removing, defacing or destroying signs.' The words are quite clear."

Mr. Barrett: "It does not say he gets two times. If he does that and is eventually fined and if another representative should light up and is fined, does that mean-- section 2 says 'the person in charge,' would pay a fine. Is that correct?"

Mr. Charnley: "Representative Barrett, not being a lawyer, these are lawyer questions, I have no more response."

Ms. Stratton spoke against passage of the bill.

POINT OF INQUIRY

Mr. G. Nelson yielded to question by Mr. Dickie.

Mr. Dickie: "Representative Nelson, I know you've made a rather thorough study of this, and I, too, am concerned about the questions with reference to smoking in the chambers and these buildings. Could you respond to that?"

Mr. G. Nelson: "If one reads section 2 carefully, I think you would all agree that these chambers and every hearing room that this legislature runs is included in this law. I don't think there's any dispute about that. If anybody in this chamber has argued about somebody smoking I think they can have that person cited with a \$100 fine as referenced in section 6. It includes auditoriums, hearing rooms, exhibition halls. If you haven't seen a bigger exhibition hall in your whole life than this one, I'll throw in with you. I think it's very clear that this chamber--"

The Speaker: "Representative Nelson, the Speaker realizes that you are yielding to a question, but the Speaker wants to remind everyone that we have a three-minute rule and it's not going to be violated by going off and making additional statements. I'm trying to understand that you are answering a question now, and I'm going to admonish everyone that if people start asking general questions, like 'What do you think about--' the Speaker is not going to accept those. If it's a true question that's legitimate, and I'm going to practice a certain amount of judgment in that. Please continue, Representative Nelson."

Mr. G. Nelson: "I think the intent is good; I don't have any quarrel with the measure, but I would want everybody to realize that it is a lot more far-reaching than what we have ever had as a rule in these chambers or in a committee room. I'm going to vote for this bill, but I do think it needs further clarification before we cite members of the Associated Press or independent newspapers who are in these chambers and who consistently violate our air as well."

Representatives Dickie and Taylor spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 229, and the bill passed the House with the following vote: Yeas, 80; nays, 16; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, and Mr. Speaker - 80.

Voting nay: Representatives Barnes, Clayton, Fisch, Fuhrman, Gallagher, Halsan, Hankins, Hastings, McClure, Padden, Schmidt, Stratton, Struthers, Williams J, Wilson, Zellinsky - 16.

Absent: Representative Fiske - 1.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 914, by Committee on Judiciary (originally sponsored by Representatives West and Dellwo)

Changing the mechanics' and materialmen's lien laws to provide increased protection for subcontractors and lien claimants.

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

Representatives Dellwo and West spoke in favor of passage of the bill, and Representatives Broback and Sanders spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 914, and the bill passed the House with the following vote: Yeas, 67; nays, 29; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Saryan, Schmidt, Schoon, Scott, Silver, Smith L, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Sloep, Walk, Wang, West, Wilson, and Mr. Speaker - 67.

Voting nay: Representatives Ballard, Betozoff, Bond, Braddock, Broback, Cantu, Chandler, Clayton, Dickie, Ebersole, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Nealey, Patrick, Prince, Sanders, Smith C, Smitherman, Struthers, Tilly, Van Luven, Williams B, Williams J, Zellinsky - 29.

Absent: Representative Fiske - 1.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 914, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1227, by Committee on Environmental Affairs (originally sponsored by Representatives Jacobsen, Allen, Charnley, Rust and Belcher)

Providing for management of state park land.

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

Representatives Jacobsen and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1227, and the bill passed the House with the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Fiske - 1.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 1227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1234, by Committee on Energy & Utilities (originally sponsored by Representatives Jacobsen, Tilly, Charnley, Allen, Niemi, Belcher, Pruitt, Zellinsky, Lux, Ballard, Mitchell and Silver)

Restricting the use of automated telephone dialing and message devices.

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

Representative Jacobsen spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Jacobsen yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Jacobsen, as is the case with other specialized requests to the telephone company, I presume it is your intent as the author of this legislation to have any costs made by the requestors to be borne by the requestors and not to be borne by the general ratepayers. Is that correct?"

Mr. Jacobsen: "Yes, it would not be borne by the general ratepayers. I have discussed this with telephone representatives and their suggestion was that a firm planning to use AT&T machines would purchase it directly from the phone company and would pay for the cost of compiling the information. I might add that I have some information that they have this system in the southeastern belt and in a city of 250,000. 171,000 requested to have their names put on the list to exclude some telephone calls."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1234, and the bill passed the House with the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Fuhrman, Miller, Van Luven - 3.

Absent: Representative Fiske - 1.

Excused: Representative Vekich - 1.

Substitute House Bill No. 1234, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Fiske appeared at the bar of the House.

HOUSE BILL NO. 1519, by Representatives Brekke and Wang

Extending aid to families with dependent children.

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

Ms. Brekke spoke in favor of passage of the bill, and Mr. Cantu spoke against it.

POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Brekke, do the states of Oregon and Idaho have the AFDC-E program?"

Ms. Brekke: "I know that Oregon does not; I believe Idaho does not, as well."

Representatives Mitchell and B. Williams spoke against passage of the bill, and Representatives Sayan and Grimm spoke in favor of it.

POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Brekke, can you tell me what the fiscal impact would be the first year, the second year and then the fifth year, as usually is indicated in a fiscal note?"

Ms. Brekke: "It is my understanding that the department has come back and confirmed our staff projections upon which the budget figure, \$26 million, is based. I believe there is an agreement that the \$26 million is expected to be adequate for the food and shelter and the medical components for these people."

Representatives Long, G. Nelson and Isaacson opposed passage of the bill, and Representatives Kreidler and Brekke again spoke in favor of it.

POINT OF PERSONAL PRIVILEGE

Mr. Mitchell: "I would like to cite chapter 112, Laws of special session, 1979, Substitute House Bill No. 156, which was the first bill that I passed here in the House. The intent of the bill was to be sure that no legislation that had a fiscal impact was voted on the floor unless the fiscal note was attached to the bill. I will read from the Washington law: 'When a fiscal note has been prepared for a bill or resolution, a copy of the fiscal note shall be placed in the billbooks or otherwise attached to the bill or resolution and shall remain with the bill or resolution throughout the legislative process insofar as possible.' I feel that whenever a bill does come before us that has a big fiscal impact on the taxpayers of the State of Washington, that a fiscal note should be attached."

POINT OF PERSONAL PRIVILEGE

Mr. Grimm: "Your point is well taken, Representative Mitchell, and we will do our best as soon as possible to get that fiscal note to every member in this chamber. The reason that I'm able to say with some confidence that we will be able to do that is that I have been given information that the Department of Social and Health Services submitted to the Office of Financial Management, the Governor's budget office, the revised fiscal note approximately one week ago and that the Governor's budget office, the Office of Financial Management, has not forwarded it to this legislative body in accordance with the statutes. I have not personally confirmed that, it's been through secondary sources, but if that is true, that fiscal note will be made available in all due haste."

SPEAKER'S RULING

The Speaker: "Representative Grimm has said your point is well taken, Representative Mitchell, as far as it not being in the books. I think our rule says that if it is 'available.' It does not say 'requested.' If it's available we should have it in our books. I believe that one would have to read very carefully to say that if one has been requested it has to be in the books. It's only if we have it in our possession. We are going to move this down but there is a difference."

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Grimm, is it your intention to put the bill down until a fiscal note is available?"

Mr. Grimm: "I think, in response to your question, Representative Mitchell, that the gentleman from the 17th District may very likely be prepared to make that motion."

MOTION

On motion of Mr. Heck, further consideration of House Bill No. 1519 was deferred, and the bill was ordered placed at the bottom of the third reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1558, by Committee on Judiciary (originally sponsored by Representatives Armstrong and West)

Prohibiting teaching, exhibiting or demonstrating the use of or using firearms in civil disorders.

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

Representatives Armstrong, Lewis and Patrick spoke in favor of passage of the bill, and Representative Fuhrman spoke against it.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Bond.

Mr. Bond: "Representative Armstrong, I'm in great sympathy with the objectives of this bill and I simply have a question about whether or not, in your view, you feel it could be used to harass law-abiding citizens? You might explain, if you would, what safeguards there are in it in that regard."

Mr. Armstrong: "The prime safeguard is one I mentioned. The burden remains on the state to prove beyond a reasonable doubt that there have been activities of the kind described in this bill."

Representatives Bond, Wang and West spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Padden, on page 2 the definition of 'civil disorder' talks in terms of persons. Could you give me a definition of what 'persons' would be in this situation?"

Mr. Padden: "'Persons,' besides being individuals, legally could also mean a corporation or corporate entity or perhaps even could mean government. I think civil disorder, besides just being an individual could include a corporate property or perhaps even government property."

Mr. Hastings spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1558, and the bill passed the House with the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Loven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Fuhrman - 1.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 1558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1655, by Committee on State Government (originally sponsored by Representatives Belcher, Kreidler, Lewis, Allen, Miller, Wang, Galloway, Halsan and Jacobsen)

Establishing a child care demonstration project for state employees.

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

Ms. Belcher spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Belcher, in this bill it says that the contract can only go to nonprofit organizations. Why use only nonprofit and not for-profit? Why not use for-profit organizations?"

Ms. Belcher: "You've asked me a technical question that I can't answer. We've researched that and decided this is the better of the two and I don't really remember why."

Representatives Hastings and Padden spoke against the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1655, and the bill passed the House with the following vote: Yeas, 69; nays, 28; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Walk, Wang, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Barnes, Barrett, Bond, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hastings, Long, Nealey, Nelson G, Padden, Sanders, Schmidt, Silver, Smith C, Stratton, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 28.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 1655, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1687, by Committee on Judiciary (originally sponsored by Representatives Locke, Padden, Belcher and Tanner)

Penalizing custodial interference.

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

Representatives Locke and Halsan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1687, and the bill passed the House with the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 1687, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Vekich appeared at the bar of the House.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1415, by Representatives Miller, Heck, Pruitt, Allen, Vander Stoep, Johnson, Patrick and Long (by Secretary of State request)

Authorizing local voters' pamphlets.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 1415 was substituted for House Bill No. 1415, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1415 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Miller and Fisch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1415, and the bill passed the House with the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1415, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1565, by Representatives Belcher, Locke, Armstrong, Niemi, Fisher, Jacobsen, Tanner and Powers

Modifying provisions relating to strip searches.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1565 was substituted for House Bill No. 1565, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1565 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher, Miller and Padden spoke in favor of passage of the bill, and Mr. Tilly opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1565, and the bill passed the House with the following vote: Yeas, 90; nays, 8; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Ballard, Chandler, Fuhrman, Locke, Miller, Nealey, Prince, West - 8.

Substitute House Bill No. 1565, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 1668, by Representatives Isaacson, Ellis, Hankins, Walk, Barnes, Clayton, Bond, Egger and Zellinsky

Prohibiting the sale of motor vehicle fuel containing alcohol unless the dispensing device is labeled.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1668 was substituted for House Bill No. 1668, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1668 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Isaacson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1668, and the bill passed the House with the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1668, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1539, by Representatives Crane and Addison

Providing for the payment of costs of legal services for juveniles represented by publicly-funded counsel.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1539 was substituted for House Bill No. 1539, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1539 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1539, and the bill passed the House with the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1539, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 34, by Representatives Tilly and Armstrong

Petitioning Congress to adopt the "Taxpayer Antitrust Enforcement Act of 1983".

The memorial was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Tilly spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 34, and the memorial passed the House with the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Joint Memorial No. 34, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:15 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order at 1:15 p.m.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-107, by Representatives Cantu, J. Williams, Van Luven, Sanders, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, Wilson and Zellinsky

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Bellevue High School Wolverines on December 3, 1983 won the State Class AAA Football Championship; and

WHEREAS, This is the first state football championship by a King County Conference team in the eleven year history of the playoffs; and

WHEREAS, Bellevue High School has the smallest enrollment of any King County Conference School; and

WHEREAS, The team's 12-2 record is a great credit to Head Coach Dwaine Hatch and to a season of inspiring play by the entire team; and

WHEREAS, Bellevue High School having no prior state playoff experience defeated Kennewick High School, which had reached the playoffs four of the past six years; and

WHEREAS, The members of the Bellevue Wolverines have combined excellence in athletics with impressive individual scholarship;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Bellevue High School Wolverines and their coaching staff be commended on their great success; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Mr. Dwaine Hatch, Head Coach of the Wolverines.

Mr. Cantu moved adoption of the resolution. Representatives Cantu, J. Williams, Sanders, Van Luven, Zellinsky and Hastings spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

Mr. Grimm moved that House Bill No. 1246, House Bill No. 1344, House Bill No. 1363, House Bill No. 1660 and House Bill No. 1311 be placed on the second reading calendar for immediate consideration.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Grimm, one of the measures that you are moving that we work on is House Bill No. 1660, which is an education bill. As you know, we passed this out of Ways & Means Committee a couple of days ago, and at that time we didn't have a fiscal note from the Superintendent of Public Instruction. The Office of Financial Management submitted to us that they would get us a fiscal note by Tuesday, which is tomorrow. I look at the fiscal note in our books and I'm wondering--it's kind of a skeleton-type thing--do we have a fiscal note from the SPI yet?"

Mr. Grimm: "Representative Sanders, to the best of my knowledge the fiscal note is in your books as it was presented to us by the Governor's Office of Financial Management. Although the information in it may not be exactly what you are looking for, or as extensive as you might prefer. My guess is that, consistent with their prior established pattern, they had either had that reviewed or initially submitted for their review by the SPI."

Mr. Sanders spoke against the motion.

The motion was carried.

HOUSE BILL NO. 1246, by Representatives Galloway, P. King and Taylor

Relating to improving excellence in education. (t.o.)

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1246 was substituted for House Bill No. 1246, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1246 was read the second time.

Mr. Dickie moved adoption of the following amendment:

On page 1, beginning on line 12 strike all of section 1 and insert:

"NEW SECTION. Sec. 1. There is added to chapter 28A.04 a new section to read as follows:

The state board of education shall prepare recommended courses of study identifying scope, sequence, skills and concepts in each of the subject areas identified in the basic education act. These recommended courses of study are not to be mandated to local school districts. After completion of the original development of the recommended courses of study, the state board of education shall schedule, at least every five years, a review and updating of the recommended courses of study.

The state board of education may establish teams composed of curriculum experts and practicing teachers, with consideration to geographical location. To the extent possible, work should be done when school is not in session. Lodging, travel, subsistence expenses and incentive pay may be provided as well as substitute pay when deemed essential."

Representatives Dickie and Schmidt spoke in favor of the amendment, and Ms. Galloway spoke against it.

POINT OF INQUIRY

Mr. Dickie yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Dickie, could you explain what happened to the bill that would have done this a year ago?"

Mr. Dickie: "The thing that occurred a year ago with the bill is that it arrived in the Senate. There seems to be an odd relationship there that reaches into the Senate Education Committee and the Superintendent of Public Instruction's Office. The bill did not come out of committee. It did not come out the committee because the SPI did not want to do this. The Office of Superintendent of Public Instruction and the bill you are going to be voting on is again, going to have a handle on what the curriculum is going to be in the state of Washington. They will develop three model programs a year. They have been doing that for the last fifteen years. We do not have a course of study. What I am saying to you is that we do not have an identifiable course of study in the state of Washington. It's time that we had one. Your schools would not be challenged as they are being challenged in the press today if that had not happened a year ago. We would not need this amendment. It was the politics of the moment, and I hope we don't get caught in the politics of the moment again today and forget that the important thing is what happens in our schools."

Mr. Schoon spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dickie to Substitute House Bill No. 1246, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Mr. Schoon moved adoption of the following amendment:

On page 6, beginning on line 20 strike all of section 8 and renumber the remaining sections consecutively.

Representatives Schoon and Holland spoke in favor of the amendment, and Representatives Galloway and Walk spoke against it.

The amendment was not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1246 was placed on final passage.

Representatives Galloway, Hine and Stratton spoke in favor of passage of the bill, and Representatives Taylor and Lewis spoke against it.

POINT OF INQUIRY

Ms. Galloway yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Galloway, in House Bill 1246, at the bottom of the first page, we have a new term that is called 'incentive pay.' No place in the bill is 'incentive pay' defined. In the fiscal note it says that there's \$67,500 or \$2500 for a certificated employee, set aside for incentive pay. Would you explain to the body what 'incentive pay' is?"

Ms. Galloway: "Representative Sanders, the purpose of incentive pay would be to recognize those people who have expertise in that field and pay them for helping develop curriculum guidelines. That is the entire purpose. It was the wish

of the House Education Committee that most of that would be done during the summertime and the incentive pay would be in addition to their regular pay."

Mr. Sanders: "Is this similar to merit pay?"

Ms. Galloway: "This is paying people for an additional task."

Representatives Schoon, Betzoff, Hastings, Dickie and G. Nelson spoke against the bill, and Representatives Barnes and Long spoke in favor of it.

Representative Struthers was excused.

Ms. Galloway spoke again in favor of the bill, and Mr. G. Nelson again opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1246, and the bill passed the House with the following vote: Yeas, 73; nays, 24; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Allen, Ballard, Betzoff, Bond, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Lewis, Nealey, Nelson G, Padden, Patrick, Prince, Schoon, Smith C, Taylor, Tilly, Van Dyken, Williams J - 24.

Excused: Representative Struthers - 1.

Substitute 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.

HOUSE BILL NO. 1344, by Representatives McMullen, Zellinsky, P. King, Egger, Schoon, Powers, Brough, Long and Mitchell

Requiring examinations for applicants for teaching certificates.

The bill was read the second time. On motion of Ms. Galloway, Second Substitute House Bill No. 1344 was substituted for House Bill No. 1344, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1344 was read the second time.

Mr. Schoon moved adoption of the following amendment:

On page 2, line 20 strike "shall" and insert "may"

Mr. Schoon spoke in favor of the amendment and Ms. Galloway spoke against it.

Mr. Schoon spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and Betzoff spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Schoon.

Mr. Schoon: "Representative McMullen, on page 5 of the bill it indicates that teachers who are to participate in the student teaching supervision area will receive up to three-quarter hour credits at a state institution of higher education. Can you tell me, would that be a school from which they graduate or which school would be giving those credits?"

Mr. McMullen: "We'll leave that up to the state board to decide on the procedure to allow them credit for their additional positions."

Mr. Dickie spoke against the bill, and Mr. Holland spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1344, and the bill passed the House with the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P., King R., Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Wilson, Zöllinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Clayton, Dickie, Nealey, Taylor - 5.

Excused: Representative Struthers - 1.

Second Substitute House Bill No. 1344, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1363, by Representatives Sommers, Vander Stoep, Heck, Dellwo, Burns, Barrett, Rust, Grimm, Sanders, Cantu, Sayan, Allen, McClure, Ellis, Tilly and Stratton

Authorizing coordination study between WSU and EWU.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 1363 was substituted for House Bill No. 1363, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1363 was read the second time.

Mr. Prince moved adoption of the following amendments by Representatives Prince and G. Nelson:

On page 1, line 4 strike all of section 1. Renumber the remaining sections consecutively and correct internal references.

On page 2, line 11 after "(4)" strike all material through "trustees," on line 14 and insert:

"Two regents or trustees from each four year state institution of higher education, to be appointed by the respective governing body of each institution."

On page 2, line 17 strike "Washington State University and Eastern Washington University" and insert "the state institutions of higher education"

On page 2, line 19 after "merger" insert "of any or all of the state institutions of higher education"

On page 3, line 2 strike "Washington State University and Eastern Washington University, with emphasis on joint governance or merger" and insert "our state institutions of higher education"

On page 3, strike lines 12 through 19 and renumber the remaining subsections consecutively.

Representatives Prince, Brough, Moon, Padden and Nealey spoke in favor of the amendment, and Representatives Sommers, Barrett, Taylor and Vander Stoep spoke against it.

Mr. Prince spoke again in favor of the amendment.

The Speaker resumed the Chair.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and G. Nelson to Substitute House Bill No. 1363, and the amendment was not adopted by the following vote: Yeas, 27; nays, 70; excused, 1.

Voting yea: Representatives Ballard, Barnes, Betzoff, Bond, Brough, Chandler, Charnley, Clayton, Dickie, Fisch, Hankins, Hastings, Locke, Miller, Mitchell, Nealey, Nelson G., Padden, Prince, Schmidt, Schoon, Smith C., Smith L., Tilly, Van Luven, Williams J., Wilson - 27.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Cantu, Crane, Dellwo, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland,

Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 70.

Excused: Representative Struthers - 1.

Mr. G. Nelson moved adoption of the following amendment:

On page 3, line 11 after "system" insert ", with a distinction made between undergraduate and graduate program needs of these population centers"

Mr. G. Nelson spoke in favor of the amendment and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill, and Representatives Prince and Charnley spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1363, and the bill passed the House with the following vote: Yeas, 84; nays, 13; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barnes, Brough, Charnley, Fiske, Fuhrman, Hankins, Hastings, Holland, Nealey, Nelson G, Padden, Patrick, Prince - 13.

Excused: Representative Struthers - 1.

Engrossed Substitute House Bill No. 1363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1660, by Representatives Grimm, Dickie, Isaacson and Clayton
Improving the quality of education.

The bill was read the second time. On motion of Ms. Galloway, Second Substitute House Bill No. 1660 was substituted for House Bill No. 1660, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1660 was read the second time.

Mr. Cantu moved adoption of the following amendments by Representatives Cantu and Dickie:

On page 1 strike lines 13 through 22 and insert:

"Each school district is encouraged to design, maintain, and periodically update a staff development plan for certificated employees which are of professional benefit to educators. School districts are also encouraged to review and approve staff development training courses. Course credits earned shall only be recognized by a school district if consistent with school district policy and if the credits are earned to:"

On page 6, line 20 strike "eight hundred" and insert "three hundred forty"

On page 6, strike lines 23 through 26 and renumber the remaining subsections consecutively.

Mr. Cantu spoke in favor of the amendments, and Representatives Galloway and Holland spoke against them.

The amendments were not adopted.

Mr. Betzoff moved adoption of the following amendments:

On page 2, line 15 strike all of sections 4 and 5 and renumber the remaining sections consecutively.

On page 6, line 23 strike "four" and insert "seven"

On page 6, strike lines 31 through 33.

Representatives Betrozoff, Van Dyken and Dickie spoke in favor of the amendments, and Ms. Galloway opposed them.

The amendments were not adopted.

Mr. Betrozoff moved adoption of the following amendment:

On page 4, strike lines 14 and 15 and insert "employee's or employer's request."

Representatives Betrozoff and Galloway spoke in favor of the amendment, and it was adopted.

Mr. Barnes moved adoption of the following amendment:

On page 6, after line 33 insert:

NEW SECTION, Sec. 9. The department of personnel shall undertake a survey of the salaries of teachers and administrators in the state's public schools. The survey shall determine the degree of similarity between the current salaries of teachers and school administrators with professional and managerial jobs in both the private sector and other parts of the public sector, which are characterized by similar training, responsibility, years of experience, length of work year and working conditions, including, but not limited to, jobs in engineering, accounting, sales-marketing, business administration, science, economics-finance, and computer sciences. The survey shall examine the degree of similarity of both average salary and the range between minimum and maximum salaries.

The department shall submit its report and supporting documentation to the governor and director of financial management for their use in preparing the budget to be submitted to the 1985 legislative session, and to the legislative budget committee and the standing committees for appropriations in the Senate and House of Representatives.

NEW SECTION, Sec. 10. There is appropriated from the general fund to the department of personnel for the biennium ending June 30, 1985, the sum of forty-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

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."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Heck: "Mr. Speaker, could you please rule on whether or not the language of this amendment is within the scope and object of the measure pending before the body?"

SPEAKER'S RULING

The Speaker: "The Speaker has examined the amendment and Second Substitute House Bill 1660. While the title of the bill is broad, the intent of the bill is to provide direction to the SPI and school districts. The amendment concerns itself with the Department of Personnel, thus the amendment is beyond the scope and object of the bill. Your point is well taken, Representative Heck."

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Galloway, Betrozoff and Barnes spoke in favor of passage of the bill, and Mr. Dickie spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1660, and the bill passed the House with the following vote: Yeas, 84; nays, 12; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Lewis, Padden, Smith C, Taylor, West - 12.

Absent: Representative Brough - 1.

Excused: Representative Struthers - 1.

Engrossed Second Substitute House Bill No. 1660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Struthers appeared at the bar of the House.

The Speaker called on Mr. Charnley to preside.

HOUSE BILL NO. 1311, by Representatives Galloway, Sayan, Charnley, Holland, Tilly, Miller, D. Nelson and Halsan

Requiring preschool education for handicapped children.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1311 was substituted for House Bill No. 1311, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1311 was read the second time.

Ms. Galloway moved adoption of the following amendment by Representatives Galloway, Dickie, Sommers, Vander Stoep, Betzoff, Rust and Grimm:

On page 1, beginning on line 28 strike everything through page 2, line 5 and insert:

"Children served under this section shall meet one of the following eligibility requirements:

(1) The child shows a deficit of at least twenty-five percent of chronological age in two or more of the following areas: cognitive development, motor development, language development, and adaptive development.

(2) The child shows a deficit of at least fifty percent in chronological age in one of the areas listed in subsection (1).

(3) The child has a disabling medical condition or congenital syndrome that will emerge before age seven as a distinct categorical handicapping condition.

Prior to the start of the 1984-85 school year, the superintendent of public instruction shall adopt rules setting standards on the selection and use of a limited number of assessment instruments to establish program eligibility under subsections (1) and (2). The superintendent of public instruction shall adopt rules specifying the documentation necessary to establish program eligibility under subsection (3)."

Representatives Galloway and Dickie spoke in favor of the amendment and it was adopted.

The bill was ordered engrossed. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Galloway spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Sommers, the courts in this state have clearly said that it is up to the legislature to define and then fund basic education. Is it your opinion that this bill, in any way, can be construed to be the first step toward making all four and five-year-olds as a class, part of basic education?"

Ms. Sommers: "No, I do not believe so. The intent of this bill is very clear. It is for handicapped children. It specifies that and in addition, we have added some, that I feel, are more clearly drawn eligibility criteria. My response to your question would be 'No.'"

Representative Dickie spoke against the bill, and Representatives Lewis, Heck, Barrett, Halsan and Schoon spoke in favor of it.

Ms. Galloway spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1311, and the bill passed the House with the following vote: Yeas, 90; nays, 7; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley,

Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Brough, Clayton, Dickie, Fuhrman, Hastings, Nealey, Struthers - 7.

Absent: Representative Bond - 1.

Engrossed Substitute House Bill No. 1311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1438, by Representatives Brekke, Patrick, Rust and Allen
Modifying provisions relating to dangerous wastes.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1438 was substituted for House Bill No. 1438, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1438 was read the second time. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1438, and the bill passed the House with the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1438, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Miller was excused.

HOUSE BILL NO. 1365, by Representatives Zellinsky, Haugen, Moon, Vekich, Smitherman, Fisher, Powers, Ebersole and Todd

Granting DSHS authority to shut down hazardous water systems.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1365 was substituted for House Bill No. 1365, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1365 was read the second time. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1365, and the bill passed the House with the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux,

McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 1365, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1153, by Representatives Ellis and Lewis

Modifying provisions on radioactive materials.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1153 was substituted for House Bill No. 1153, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1153 was read the second time.

Mr. Barrett moved adoption of the following amendment by Representative Patrick:

On page 3, line 14 insert:

"NEW SECTION, Sec. 2. Section 1(2) of this act shall take effect on April 1, 1986, if the agency has not already implemented the procedures of this act."

Representatives Barrett and Van Dyken spoke in favor of the amendment, and Representatives Rust, Lewis and Ellis spoke against it.

The amendment was not adopted.

On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ellis, Hastings and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1153, and the bill passed the House with the following vote: Yeas, 90; nays, 5; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Ballard, Betrozoff, Clayton, Patrick, Van Dyken - 5.

Absent: Representatives Cantu, Smith L - 2.

Excused: Representative Miller - 1.

Substitute House Bill No. 1153, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1250, by Representatives Belcher, Rust, Locke, Allen, Wang, Jacobsen, Charnley, Vander Stoep, Sayan, Galloway, Burns, Lux, Halsan and Powers

Requiring a management program for the Nisqually river system.

The bill was read the second time.

On motion of Ms. Belcher, the following amendments were adopted:

On page 1, after line 20 insert the following new subsection:

"(e) The Nisqually River corridor has been historically used for such productive uses as agriculture, education, forestry, hunting, fishing, mining, military maneuvers, irrigation and electric power production."

On page 2, line 4 after "program," strike "and" and on page 2, line 5 after "implementation" insert ", and the economic impacts on private property owners"

On page 2, after line 19 insert the following new section:

"NEW SECTION. Sec. 5. This 1984 act shall not be construed as limiting the rights of private property owners."

Renumber the remaining section consecutively.

The bill was ordered engrossed. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1250, and the bill passed the House with the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed House Bill No. 1250, having received the 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

Mr. Isaacson, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed House Bill No. 1250 passed the House.

Mr. Isaacson spoke in favor of the motion, and Ms. Belcher spoke against it.

With the consent of the House, Mr. Isaacson withdrew the motion.

HOUSE BILL NO. 1531, by Representative Grimm

Modifying provisions on flooding.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1531 was substituted for House Bill No. 1531, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1531 was read the second time. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. C. Smith.

Mr. C. Smith: "Representative Grimm, we have two agencies that control the flood part of our state in hydraulics. Will this study include the hydraulic part of the state? Many times farmers like to remove some sort of a block in the river and are restricted because of that hydraulic permit."

Mr. Grimm: "Based on my most recent reading of the legislation, there is nothing that changes the hydraulic standards in current rules and regulations connected with the Department of Fisheries. As an example, I had originally proposed that, and I simply pulled off that original proposal. There is nothing that would suspend or preclude current regulatory requirements on hydraulics. It simply will provide the counties with the opportunity, within other existing statutes, to maintain flood control with some money from the state."

Mr. C. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1531, and the bill passed the House with the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 1531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1295, by Representatives Dellwo, Ballard, Fisch, Vander Stoep, Tilly, Charnley, Wang and Miller (by Governor Spellman request)

Requiring a report on dam safety.

The bill was read the second time. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1295, and the bill passed the House with the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 1295, having received the 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 Mr. Heck, the House reverted to the fourth order of business.

MESSAGES FROM THE SENATE

February 4, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3064,
 ENGROSSED SENATE BILL NO. 3312,
 ENGROSSED SENATE BILL NO. 3485,
 SECOND SUBSTITUTE SENATE BILL NO. 3815,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3901,
 SENATE BILL NO. 4301,
 SUBSTITUTE SENATE BILL NO. 4321,
 SENATE BILL NO. 4338,
 SENATE BILL NO. 4352,
 SUBSTITUTE SENATE BILL NO. 4357,
 SUBSTITUTE SENATE BILL NO. 4381.

SENATE BILL NO. 4388,
 SENATE BILL NO. 4401,
 SENATE BILL NO. 4437,
 SENATE BILL NO. 4439,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4484,
 SUBSTITUTE SENATE BILL NO. 4489,
 SENATE BILL NO. 4491,
 ENGROSSED SENATE BILL NO. 4500,
 ENGROSSED SENATE BILL NO. 4506,
 ENGROSSED SENATE BILL NO. 4516,
 SENATE BILL NO. 4527,
 SUBSTITUTE SENATE BILL NO. 4529,
 ENGROSSED SENATE BILL NO. 4532,
 SUBSTITUTE SENATE BILL NO. 4579,
 ENGROSSED SENATE BILL NO. 4592,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4653,
 SUBSTITUTE SENATE BILL NO. 4666,
 SUBSTITUTE SENATE BILL NO. 4710,
 SUBSTITUTE SENATE BILL NO. 4758,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193,
 SUBSTITUTE SENATE BILL NO. 3287,
 SUBSTITUTE SENATE BILL NO. 3620,
 SUBSTITUTE SENATE BILL NO. 3740,
 SUBSTITUTE SENATE BILL NO. 4050,
 ENGROSSED SENATE BILL NO. 4534,
 SENATE BILL NO. 4558,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4560,
 ENGROSSED SENATE BILL NO. 4607,
 SUBSTITUTE SENATE BILL NO. 4620,
 SUBSTITUTE SENATE BILL NO. 4623,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4667,
 ENGROSSED SENATE BILL NO. 4689,
 SENATE JOINT MEMORIAL NO. 127,
 ENGROSSED SENATE JOINT MEMORIAL NO. 131,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

SSB 3064 by Committee on Commerce & Labor (originally sponsored by Senator Moore)

Regulating taxicab companies.

Referred to Committee on Commerce & Economic Development

2ESSB 3193 by Committee on Parks & Ecology (originally sponsored by Senator Talmadge)

Modifying provisions of the Washington clean air act.

Referred to Committee on Environmental Affairs

SSB 3287 by Committee on Ways & Means (originally sponsored by Senators Bauer, Hemstad and Granlund)

Establishing grace period for certain employees to reestablish pension benefits.

Referred to Committee on Ways & Means

- ESB 3312 by Senators Wojahn, Quigg, Vognild, Rasmussen, Hughes and Woody
Increasing revenues received from gambling activities by bona fide charitable or nonprofit organizations.
Referred to Committee on Commerce & Economic Development
- ESB 3485 by Senators Gaspard and Hughes
Providing for the superintendent of public instruction to be a voting member of the state board of education.
Referred to Committee on Education
- SSB 3620 by Committee on Parks & Ecology (originally sponsored by Senators Hurley, Lee, Hansen, Quigg, Fuller, Rasmussen, Peterson and Guess)
Establishing a limit for registration fees for air contaminant sources.
Referred to Committee on Environmental Affairs
- SSB 3740 by Committee on Transportation (originally sponsored by Senators Vognild, Rasmussen and Peterson)
Defining liability for hazardous materials incidents.
Referred to Committee on Transportation
- 2SSB 3815 by Committee on Ways & Means (originally sponsored by Senators Granlund, Deccio, McManus, Owen and McDermott)
Establishing financial responsibility for persons in city and county jails.
Referred to Committee on Ways & Means
- ESSB 3901 by Committee on Commerce & Labor (originally sponsored by Senators McManus and Vognild)
Regulating agreements between suppliers and wholesale distributors of malt beverages and wine.
Referred to Committee on Commerce & Economic Development
- SSB 4050 by Committee on Transportation (originally sponsored by Senator Peterson)
Exempting legal messengers from regulation by the utilities and transportation commission.
Referred to Committee on Transportation
- SB 4301 by Senators Thompson, Zimmerman and Bauer
Limiting the notice requirement for disposal of surplus property by sewer district.
Referred to Committee on Local Government
- SSB 4321 by Committee on State Government (originally sponsored by Senator Warnke)
Revising the laws governing the state library.
Referred to Committee on State Government
- SB 4338 by Senators Peterson and Sellar
Removing restrictions on motor vehicle renewals.
Referred to Committee on Transportation
- SB 4352 by Senators McDermott, Zimmerman, Gaspard, Granlund and Shinpoch (by Legislative Budget Committee request)
Requiring the prosecutor's statement on a convicted criminal to be available upon incarceration.
Referred to Committee on Judiciary

SSB 4357 by Committee on Judiciary (originally sponsored by Senators Moore and Newhouse)

Extending period of enforcement of judgment liens of justice courts.

Referred to Committee on Judiciary

SSB 4381 by Committee on Judiciary (originally sponsored by Senators Fleming and Sellar)

Revising various election laws.

Referred to Committee on Constitution, Elections & Ethics

SB 4388 by Senators Warnke and Zimmerman (by State Treasurer request)

Changing provisions relating to the cashing of checks, drafts, and warrants by the state treasurer.

Referred to Committee on State Government

SB 4401 by Senators Thompson, Lee, Moore and Sellar

Permitting port commissions to negotiate the sale of property owned by the port district.

Referred to Committee on Local Government

SB 4437 by Senators Talmadge, Hemstad, Clarke and Thompson

Eliminating the provision of law school credits for WWII veterans.

Referred to Committee on Higher Education

SB 4439 by Senators Talmadge, Hemstad and Hughes

Amending or repealing statutes superseded by court rule.

Referred to Committee on Judiciary

ESSB 4484 by Committee on State Government (originally sponsored by Senators Fleming, Talmadge, McDermott, Bottiger, Hughes, Bender and McManus)

Creating the athletic health care and training council.

Referred to Committee on State Government

SSB 4489 by Committee on Judiciary (originally sponsored by Senators Bottiger, Clarke and Talmadge)

Requiring notification of the mortgagee and other lienholders in property tax foreclosures.

Referred to Committee on Judiciary

SB 4491 by Senators Bottiger, Hemstad and Talmadge

Modifying provisions relating to the appointment and compensation of home-
stead appraisers.

Referred to Committee on Judiciary

ESB 4500 by Senators Gaspard, Newhouse, Wojahn, Warnke and Fuller

Providing for tax deferred annuities for school employees.

Referred to Committee on Ways & Means

ESB 4506 by Senators Thompson and Hayner

Modifying membership in the judicial retirement system.

Referred to Committee on Ways & Means

ESB 4516 by Senators Conner and Vognild

Authorizing members of affiliated organizations to assist local nonprofit organizations with gambling activities.

Referred to Committee on Commerce & Economic Development

SB 4527 by Senators Peterson, Patterson, Sellar and Bottiger

Directing law enforcement officers to put reflectorized warning devices on disabled cars.

Referred to Committee on Transportation

SSB 4529 by Committee on State Government (originally sponsored by Senator Warnke)

Establishing six-year terms of office for the executive directors of the state historical societies.

Referred to Committee on State Government

ESB 4532 by Senators Goltz and Peterson

Creating a state highway from Kendall to Sumas.

Referred to Committee on Transportation

ESB 4534 by Senators Williams and Hemstad

Revising provisions relating to the chairman of the nuclear waste policy and review board.

Referred to Committee on Energy & Utilities

SB 4558 by Senator Williams

Establishing procedures to convene the legislature to consider high-level nuclear waste storage siting decisions.

Referred to Committee on Energy & Utilities

ESSB 4560 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Goltz, Fuller, Moore, Woody and Talmadge)

Requiring disclosure of information to telephone buyers.

Referred to Committee on Energy & Utilities

SSB 4579 by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Hemstad; by Military Department request)

Limiting tort liability of state militia for acts done on federal duty.

Referred to Committee on Judiciary

ESB 4592 by Senator Williams

Permitting replacement of inactive members of the state centennial commission and establishing financial procedures for the commission.

Referred to Committee on State Government

ESB 4607 by Senators Hughes, Lee, Talmadge and McDermott (by Department of Ecology request)

Authorizing procedures to dispose of hazardous wastes.

Referred to Committee on Environmental Affairs

SSB 4620 by Committee on State Government (originally sponsored by Senators Hughes, Bender, Owen, McDermott, Peterson, Wojahn, Bottiger, Talmadge, Moore, Bauer, Gaspard, Shinpoch, McCaslin, McDonald, Sellar, Fleming, Vognild and Conner)

Enlarging definition of veteran.

Referred to Committee on State Government

SSB 4623 by Committee on State Government (originally sponsored by Senators Shinpoch and Goltz; by Human Rights Commission request)

Altering provisions relating to the human rights board.

Referred to Committee on State Government

ESSB 4653 by Committee on Social & Health Services (originally sponsored by Senators Peterson, McManus, Wojahn, Deccio, Moore and Bauer; by Lieutenant Governor request)

Protecting children including revising the laws regulating the Washington council for the prevention of child abuse and neglect.

Referred to Committee on Social & Health Services

SSB 4666 by Committee on Parks & Ecology (originally sponsored by Senators Rinehart, Warnke, Hemstad, Hughes, Hurley, Shinpoch and Kiskaddon)

Providing for management of state park lands and restricting timber sales.

Referred to Committee on Environmental Affairs

ESSB 4667 by Committee on Energy & Utilities (originally sponsored by Senators Goltz, Williams, Granlund and Pullen)

Prohibiting mandatory measured telephone service rates.

Referred to Committee on Energy & Utilities

ESB 4689 by Senators Peterson, Hughes, Hurley, Woody, Williams, Bottiger, Shinpoch and McDermott

Requiring third party inspections for out-of-state low-level radioactive waste generators, packagers, and brokers.

Referred to Committee on Energy & Utilities

SSB 4710 by Committee on State Government (originally sponsored by Senators Williams, Warnke and Hughes; by Office of Archaeology and Historic Preservation request)

Revising procedures for the disposition of archeological materials from cairns or graves.

Referred to Committee on State Government

SSB 4758 by Committee on Commerce & Labor (originally sponsored by Senators Woody, Sellar, Haley, Vogtild, Benitz and Williams)

Modifying the regulation of the alcohol content of certain candy, food, and wine.

Referred to Committee on Commerce & Economic Development

SJM 127 by Senators Williams, Goltz, Hemstad, McManus, Hurley and Fuller

Requesting the Department of Energy to review other radioactive waste sites.

Referred to Committee on Energy & Utilities

ESJM 131 by Senators Williams and Hurley

Requesting consideration of nuclear waste policy and liability.

Referred to Committee on Energy & Utilities

MOTION

On motion of Mr. Heck, the bills and memorials listed on today's introductions were considered first reading under the fourth order of business and were referred to the committees designated.

The Speaker (Mr. Charnley presiding) declared the House to be at ease.
The Speaker called the House to order.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-123, by Representatives Betrozoff, Miller, Long, Patrick, Holland, Sanders and Van Luven

WHEREAS, Children born in 1983 will graduate from high school in the year 2001; and

WHEREAS, The report of the National Commission on Excellence has brought education into the public spotlight and the Lake Washington School District interprets the report as an 'opportunity' for educators; and

WHEREAS, The Lake Washington School District supports and encourages parent and citizen involvement in the schools; and

WHEREAS, The Lake Washington School District believes that quality education is a matter of planning, organization, and commitment, and also believes that test scores have shown a dramatic improvement over the past eight years in basic skills; and

WHEREAS, Ninety percent of all staff -- certified, classified and administrative -- chose to participate in yearly staff development workshops and seminars, and the Lake Washington School District was selected by the Rand Corporation as one of four exemplary districts in the nation for its staff evaluation programs and commitment to the improvement of teacher performance; and

WHEREAS, Project 2001 represents a deliberate move in new directions toward further improvement, and brings in experts from many fields outside of education to work with educators in creating an educational program for those 2001 children; and

WHEREAS, The key to the success of Project 2001 is communication among education, business and the private sector; and

WHEREAS, Project 2001 has expertise in communication technology, psychology and human relations, economics, corporate planning, government relations, community organization, organizational theory and institutional change, market research, and alternative and private education; and

WHEREAS, The potential outcomes of Project 2001 will be appropriate for those children born in 1983, enabling them to live successfully and to be leaders in the world of tomorrow;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulates Dr. L.E. Scarr, Superintendent; and Robert Hughes, President, Board of Directors, Lake Washington School District, for the exemplary Project 2001 that promises to meet the needs of tomorrows citizens and leaders; and

BE IT FURTHER RESOLVED, That members of the Project 2001 Study Committee -- Chuck Anderson, Chairman, Teltone Corp.; Bernard Beckelman, President, Rockcor, Inc.; Ron Boucher, Principal, Kirkland Junior High School; Kris Dyrud, Controller, All Seasons Living Centers; Vivianne Franklin, Teacher, Redmond High School; Carole George, President, PTSA Council; Nancy Gode, Executive Director, Council for Prevention of Child Abuse and Neglect; Larry Mayhew, President, Data 1/0 Corp.; Joyce McGlaston, Teacher, Keller Elementary; Dean Palmer, Headmaster, Overlake School; Tom Paur, President, Intergraphics Precision Photo Service; Hunter Simpson, President and CEO, Physio-Control Corp.; Paul Taylor, Vice President, Cadman Gravel Company -- and consultants Al Savio, Boeing Computer Services and Perry Sikes, Boeing Aerospace Company, be honored for their time and efforts on behalf of those 2001 graduates of the Lake Washington School District, and for their contributions to all children in this state as a result of participating in Project 2001.

Mr. Betrozoff moved adoption of the resolution. Representatives Betrozoff and Long spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE JOINT MEMORIAL NO. 37, by Representatives D. Nelson, Kreidler, Belcher, Allen, Niemi, Miller, Pruitt, Lux, Locke, Lewis, Dellwo, Wang, Ellis and Jacobsen

Requesting the United States grant safe haven status to refugees from El Salvador and Guatemala.

The memorial was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. D. Nelson spoke in favor of the memorial, and Mr. B. Williams spoke against it.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Nelson, you indicated a list of a number of nations whose refugees have been granted this status since 1960. I believe you said. Can you tell me if that status currently exists for refugees from Nicaragua?"

Mr. D. Nelson: "I am not positive, but I believe that it does, yes."

Mr. Van Dyken: "Do you know whether or not such a policy applies to Lebanese?"

Mr. D. Nelson: "Again, I cannot tell you with certainty whether or not it does at this time."

Mr. Van Dyken: "Cambodia, Iran or Iraq?"

Mr. D. Nelson: "I know that in some of the cases you mentioned, it has been granted. I don't know whether or not it's still an open policy. I believe it is for Nicaragua."

Mr. Van Dyken: "Can you tell me with neighboring countries, Nicaragua, Guatemala, El Salvador, why your concern is strictly on these countries and not Nicaragua?"

Mr. D. Nelson: "Because they are here. There are a number, a substantial number of Guatemalans, El Salvadorians, who have fled their homeland and are seeking sanctuary or have found it in the state of Washington and all across the United States."

Mr. Van Dyken: "Why is Nicaragua not looked at in this memorial?"

Mr. D. Nelson: "I believe that the status was granted when there was a civil war in Nicaragua and people fled at that time. They were granted status at that time because status was needed. It is not needed now. There isn't the demand. There are not Nicaraguans, that I know of, who have fled recently from their country and who are seeking this status and are in the state of Washington."

Mr. Van Dyken spoke in favor of the memorial, and Representatives Padden, Van Luven and Bond spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 37, and the memorial passed the House with the following vote: Yeas, 63; nays, 34; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams J, and Mr. Speaker - 63.

Voting nay: Representatives Ballard, Betrozoff, Bond, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Tanner, Taylor, Van Luven, West, Williams B, Wilson, Zellinsky - 34.

Excused: Representative Miller - 1.

House Joint Memorial No. 37, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1462, by Representatives R. King, O'Brien, Belcher, Niemi, Miller, Locke, Fisch and Galloway

Modifying provisions relating to unemployment compensation.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass with the following amendment:

On page 4, line 11 after "cause" insert ", if the person has left because of a compelling personal reason"

Mr. R. King moved adoption of the committee amendment, and spoke against it.

The committee amendment was not adopted.

On motion of Mr. Dellwo, the following amendments were adopted:

On page 3, line 35, after "(4)" strike "~~((Subsections (1) and (3) of this section shall not apply to))~~ An" and insert "Subsections (1) and (3) of this section shall not apply to an"

On page 4, line 1, after "employment" strike all material down to and including "cause," on line 11 and insert ". 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."

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1462, and the bill passed the House by the following vote: Yeas, 76; nays, 20; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sayan, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Ballard, Barnes, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Johnson, Patrick, Sanders, Schoon, Smith C, Struthers, Van Luven, West, Williams J - 20.

Absent: Representative Schmidt - 1.

Excused: Representative Miller - 1.

Engrossed House Bill No. 1462, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1395, by Representatives Sayan and Powers

Providing certain documents from county auditors to veterans without charge.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sayan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1395, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 1395, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1282, by Representatives Zellinsky, L. Smith, Pruitt, Barnes, Taylor, Tilly, Dellwo, Johnson, Wilson, Ballard, Mitchell, G. Nelson, Ebersole, Miller, Schmidt, Long, Schoon, Todd and Van Dyken (by Governor Spellman request, by Secretary of State request)

Revising qualifying procedures for indigent candidates.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 1282 was substituted for House Bill No. 1282, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1282 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1282, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fisher, Moon - 2.

Excused: Representative Miller - 1.

Substitute House Bill No. 1282, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1134, by Representatives Haugen, Broback, Todd, Moon, Charnley and Wilson

Revising voting and election procedures for special districts.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1134 was substituted for House Bill No. 1134, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1134 was read the second time.

On motion of Mr. Moon, the following amendments by Representatives Moon, Van Dyken, Haugen and Brough were adopted:

On page 6, after line 26 insert the following new paragraph:

"Additionally, voting by absentee ballot shall be allowed in every special district. A request for an absentee ballot may be made by an eligible voter in person to the county auditor who supervises the special district elections. The request must be made no more than forty-five days prior to the election. Absentee ballots must be postmarked on or before the day of the election and mailed to the county auditor to be valid."

On page 8, line 20 after "district," insert "Where a county is imposing rates and charges for stormwater or surface water control facilities pursuant to chapters 36.89 or 36.94 RCW, the county shall credit such rates and charges with assessments imposed under this section by a special district to fund drainage facilities and the maintenance of drainage facilities."

The bill was ordered engrossed. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1134, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed Substitute House Bill No. 1134, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1507, by Representatives Hine, Barnes, Pruitt, Garrett, Addison, Lux and Long

Prescribing minimum penalties for prostitution.

The bill was read the second time.

On motion of Ms. Hine, the following amendments by Representatives Hine and Barnes were adopted:

On page 1, beginning on line 8 strike all material through "imprisonment." on line 15 and insert a section as follows:

"Sec. 2. Section 9A.88.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.88.090 are each amended to read as follows:

(1) A person is guilty of permitting prostitution if, having possession or control of premises which he knows are being used for prostitution purposes, he fails without lawful excuse to make reasonable effort to halt or abate such use.

(2) ~~(Permitting prostitution is)~~ A first conviction for permitting prostitution shall be punished as a misdemeanor. A second or subsequent conviction for permitting prostitution shall be punished as a gross misdemeanor.

On page 2, strike all material on lines 13 and 14, and renumber the remaining section accordingly.

On page 1, line 1 of the title after "prostitution;" strike everything through "RCW" on line 2 of the title and insert "amending section 9A.88.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.88.090; creating new sections"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1507, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Armstrong, Wang - 2.

Excused: Representative Miller - 1.

Engrossed House Bill No. 1507, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1627, by Representatives Locke, Armstrong, Long, Barnes, Wang, Belcher, Tanner, Lux, Isaacson, Miller, Brekke and Addison

Revising child support provisions and providing new collection mechanism.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1627 was substituted for House Bill No. 1627, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1627 was read the second time.

Mr. Padden moved adoption of the following amendment:

On page 17, after line 26, insert the following:

*NEW SECTION. Sec. 27. There is added to chapter 6.12 RCW a new section to read as follows:

When a homestead declaration occurs before a judgment, the judgment creditor has a lien on the value of the property in excess of the homestead exemption. This lien commences when the judgment creditor records the judgment with the auditor of the county where the property is located."

Renumber the sections following consecutively, and correct internal references accordingly.

Mr. Padden spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Armstrong.

Mr. Armstrong: "Representative Padden, is this amendment intended to have retroactive effect?"

Mr. Padden: "No, it is not, Representative Armstrong."

Mr. Armstrong spoke in favor of the amendment and it was adopted.

On motion of Mr. Padden, the following amendment to the title was adopted:

On line 10 of the title after "74.20.040;" insert "adding a new section to chapter 6.12 RCW:"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1627, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland,

Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed Substitute House Bill No. 1627, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1416, by Representatives P. King, Dickie, Ebersole and Long (by Superintendent of Public Instruction, by State Board of Education request)

Revising physical education requirements.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives P. King and Dickie spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1416, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Wilson - 1.

Excused: Representative Miller - 1.

House Bill No. 1416, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1400, by Representatives Galloway, Dickie, Schoon, P. King, Heck, Taylor, Holland, Long, Egger, Betzoff and Powers

Authorizing the school district board of directors to act as the associated student body in certain schools.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1400 was substituted for House Bill No. 1400, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1400 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Galloway and Dickie spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1400, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly,

Todd, Van Dyken, Van Loven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 1400, having received the 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

Mr. Heck moved that the Rules Committee be relieved of HOUSE BILL NO. 1238, HOUSE BILL NO. 1241, HOUSE BILL NO. 1407, HOUSE BILL NO. 1419, HOUSE BILL NO. 1556, HOUSE BILL NO. 1589, HOUSE BILL NO. 1618, HOUSE BILL NO. 1637, HOUSE BILL NO. 1758 and HOUSE BILL NO. 863, and the bills be placed on the second reading calendar.

On motion of Mr. Barrett, the question was divided and HOUSE BILL No. 1637 and HOUSE BILL NO. 1758 were considered separately.

The motion by Mr. Heck, as amended, was carried.

The Speaker stated the question before the House to be the motion to relieve the Rules Committee of House Bill No. 1637.

Mr. Isaacson spoke against the motion, and Mr. D. Nelson spoke in favor of it.

The motion was carried.

The motion before the House was to relieve the Rules Committee of House Bill No. 1758.

Mr. Barrett spoke against the motion, and Mr. D. Nelson spoke in favor of it.

The motion was carried.

MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Tuesday, February 7, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 7, 1984

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fisher, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Derek Warner and Page Perey. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SECOND READING

HOUSE BILL NO. 1341, by Representatives Todd, Johnson, Miller, Fiske, Lewis, Barrett, Tanner, Sanders and Ballard

Authorizing energy retrofittings as an allowable cost in nursing home cost reimbursement.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1341 was substituted for House Bill No. 1341, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1341 was read the second time.

On motion of Mr. Padden, the following amendment was adopted:

On page 4, line 18 after "department" insert "which will generate cost savings within a period of not later than five years"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Todd and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1341, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Brekke - 1.

Excused: Representative Fisher - 1.

Engrossed Substitute House Bill No. 1341, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Gallagher was excused.

HOUSE BILL NO. 1625, by Representatives Jacobsen, Nealey, Barrett, Lewis, Belcher, Ballard, Haugen, Ellis, Lux, Dellwo, Burns, Crane, Fisher, Braddock, Moon, Fisch, Halsan, Scott, Zellinsky, Stratton, Garrett, Galloway, J. King, Todd, Ebersole, Wilson, McClure, Sommers, Vekich, Appelwick, Sayan, Wang, Isaacson, Charnley, Allen, McMullen, Powers and Kaiser

Prohibiting mandatory measured telephone service rates.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 1625 was substituted for House Bill No. 1625, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1625 was read the second time.

On motion of Mr. Jacobsen, the following amendments by Representatives Jacobsen and Isaacson were adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The Washington utilities and transportation commission shall conduct a comprehensive study to include, but not be limited to, the social and economic impact upon the residential, business, governmental, and nonprofit telephone customers by implementation of mandatory local measured telephone service rates.

The commission shall seek the cooperation of the joint select committee on telecommunications as well as representatives of the telephone industry, business interests, consumer groups, senior citizen groups, community service groups, nonprofit organizations, social service agencies, and all other interested parties in conducting the study.

The commission shall report to the appropriate committees of the house of representatives and the senate no later than November 1, 1984, with the findings of the study and recommendations regarding the implementation of mandatory local measured telephone service.

Sec. 2. Section 80.04.130, chapter 14, Laws of 1961 and RCW 80.04.130 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, whenever any public service company shall file with the commission any schedule, classification, rule or regulation, the effect of which is to change any rate, charge, rental or toll theretofore charged, the commission shall have power, either upon its own motion or upon complaint, upon notice, to enter upon a hearing concerning such proposed change and the reasonableness and justness thereof, and pending such hearing and the decision thereon the commission may suspend the operation of such rate, charge, rental or toll for a period not exceeding ten months from the time the same would otherwise go into effect, and after a full hearing the commission may make such order in reference thereto as would be provided in a hearing initiated after the same had become effective.

(2) At any hearing involving any change in any schedule, classification, rule or regulation the effect of which is to increase any rate, charge, rental or toll theretofore charged, the burden of proof to show that such increase is just and reasonable shall be upon the public service company.

(3) The implementation of mandatory local measured telephone service is a major policy change in available telephone service. The commission shall not approve, prior to June 1, 1985, any filings which are under suspension as of the effective date of this 1984 act, which are awaiting an order by the commission, or which are filed on or after the effective date of this 1984 act if the filing involuntarily requires any telephone user to pay for all outgoing local telephone calls based on time and/or distance. As to any such filing, the requirements in subsection (1) of this section for the commission to act on that filing within ten months from the date the filing would otherwise go into effect are suspended under this subsection from the effective date of this 1984 act until June 1, 1985. This subsection shall not apply to any service such as land, marine, or air mobile service, or any like service that has traditionally been offered on a measured-service basis.

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, line 1 of the title, after "rates;" strike the remainder of the title and insert "amending section 80.04.130, chapter 14, Laws of 1961 and RCW 80.04.130; creating a new section; and declaring an emergency."

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jacobsen and Isaacson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1625, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Gallagher - 2.

Engrossed Substitute House Bill No. 1625, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 739, by Representatives Clayton, Ellis, Wilson, Martinis, Hankins, C. Smith, Dickie and Barrett

Authorizing special operating permits to be granted for antique boilers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Clayton and Ellis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 739, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Gallagher - 2.

House Bill No. 739, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1624, by Representatives Cantu, Patrick, J. Williams, Bond, Chandler, C. Smith, Dickie, West, Fuhrman, L. Smith and Johnson

Restricting access to drivers license records.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1624 was substituted for House Bill No. 1624, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1624 was read the second time. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1624, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,

Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Moon - 1.

Excused: Representatives Fisher, Gallagher - 2.

Substitute House Bill No. 1624, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 271, by Committee on Ways & Means (originally sponsored by Representatives Vekich, Fiske, Charnley and Zellinsky; by Washington State Patrol request)

Modifying provisions relating to survivors' benefits under the state patrol retirement system.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 271, and the bill passed the House by the following vote: Yeas, 84; nays, 12; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Broback, Brough, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Bond, Braddock, Brekke, Cantu, Chandler, Locke, Miller, Nealey, Sanders, Sommers, Van Luven, Williams J - 12.

Excused: Representatives Fisher, Gallagher - 2.

Substitute House Bill No. 271, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1361, by Representatives Sutherland, Long, Pruitt, Brough, Schoon, Ebersole, Tanner and Sanders

Establishing a program for voluntary low-income assistance contributions for P.U.D. customers.

The bill was read the second time.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland and Long:

On page 1, line 19 strike the first sentence in the section and insert "All assistance provided under this chapter shall be disbursed by the grantee or charitable organization. Where possible the public utility district will be paid on behalf of the customer by the grantee or the charitable organization. When direct vendor payment is not feasible, a check will be issued jointly payable to the customer and the public utility district."

Representatives Sutherland and Long spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sutherland, Long, Miller and Isaacson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1361, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Gallagher - 2.

Engrossed House Bill No. 1361, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1514, by Representatives Kreidler, Niemi, J. Williams, Lewis, Long, Miller, Dellwo, Clayton and Powers

Removing juveniles from adult jails.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1514 was substituted for House Bill No. 1514, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1514 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1514, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Gallagher - 2.

Substitute House Bill no. 1514, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1584, by Representatives Grimm, Gallagher, Powers, Ebersole, Broback, Walk, Fisher, Johnson, Wang and Schoon

Authorizing access restrictions to certain public lands for the protection of municipal water supplies.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1584 was substituted for House Bill No. 1584, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1584 was read the second time.

On motion of Mr. Isaacson, the following amendment by Representatives Isaacson, Grimm and Todd was adopted:

On page 1, line 9 after "RCW, when" strike all material through "necessary," on line 12 and insert "the department of social and health services and the city or town deriving its water supply from a protected watershed considers the restrictions necessary to meet water quality standards."

On motion of Ms. Hine, the following amendment was adopted:

On page 2, line 30 strike "department to provide for controlled hunting" and insert "or fisheries department to provide for controlled hunting or fishing"

On motion of Mr. Todd, the following amendment by Representatives Todd, Hine and Isaacson was adopted:

On page 2, line 25 after "residences" insert ", nor the authorized visitors of such persons from traveling to and from these person's residences."

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm, Ebersole, Schoon, Broback and Brough spoke in favor of passage of the bill, and Representatives Egger, Todd, Barnes and Isaacson spoke against it.

Representatives Grimm, Ebersole and Schoon spoke again in favor of the bill, and Representative Egger again opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1584, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 49; absent, 1; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Betzoff, Brekke, Broback, Brough, Chamley, Crane, Ebersole, Ellis, Fisch, Galloway, Grimm, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Long, Lux, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Pruitt, Rust, Saryan, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Van Dyken, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Bond, Braddock, Burns, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, King R, Lewis, Locke, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Todd, Van Luven, West, Williams B, Williams J, Wilson, Zellinsky - 49.

Absent: Representative Nelson D - 1.

Excused: Representatives Fisher, Gallagher - 2.

Engrossed Substitute House Bill No. 1584, having failed to receive the constitutional majority, was declared lost.

The Speaker declared the House to be at ease until 12:30 p.m.

AFTERNOON SESSION

The House was called to order at 12:30 p.m. by the Speaker. Representative Gallagher appeared at the bar of the House.

MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

MESSAGE FROM THE SENATE

February 6, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED 2ND SUBSTITUTE SENATE BILL NO. 3982,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4325,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4329,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4402,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4423,
 SUBSTITUTE SENATE BILL NO. 4494,
 SUBSTITUTE SENATE BILL NO. 4578,
 SENATE BILL NO. 4668,
 SENATE BILL NO. 4696.

SUBSTITUTE SENATE BILL NO. 4706.
 SUBSTITUTE SENATE BILL NO. 4709.
 SENATE BILL NO. 4773.
 SUBSTITUTE SENATE BILL NO. 4788.
 SUBSTITUTE SENATE BILL NO. 4849.
 ENGROSSED SENATE BILL NO. 4852.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

2ESSB 3982 by Committee on Commerce & Labor (originally sponsored by Senators McManus, Vognild, Owen, Conner, Bender, Sellar, Gaspard, Williams, Hurley, Hansen, Fleming, Metcalf, Bauer and Warnke)

Establishing the small business improvement council.

Referred to Committee on Commerce & Economic Development

ESSB 4325 by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, McCaslin and Vognild)

Modifying provisions relating to cigarette sales.

Referred to Committee on Commerce & Economic Development

ESSB 4423 by Committee on Agriculture (originally sponsored by Senators Fleming, Hansen, Rasmussen, Peterson, Rinehart, Barr, Moore, McManus, Bauer, Williams, Goltz, Woody, Shinpoch and Vognild)

Establishing the agricultural market development task force.

Referred to Committee on Agriculture

POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, you have just referred Engrossed Substitute Senate Bill 4423 to the Committee on Agriculture. My point of parliamentary inquiry is under what rules is the committee to consider that bill?"

The Speaker: "Representative Barrett, at this point that is not pertinent to the fourth order of business, introduction of bills. Your point is not appropriate."

Mr. Barrett: "I would remind the Speaker that in the conduct of committee business, we are at a loss to know whether or not the rules of the House are in effect on a committee. As we relate to a committee action, the members of the body are at a loss to know under what rules we function within that committee."

The Speaker: "Perhaps in your spare moments you could read Rule 25 of the Rules of the House, beginning on page 21 and read those over. That has to do with the House committee duties, responsibilities, etc."

Mr. Barrett: "I have read that portion of the rules and my interpretation and the interpretation I have been given is that the rules of the House govern the conduct of the committee. Is that a correct interpretation?"

The Speaker: "Representative Barrett, there are many interpretations of what the rules are and which will apply and which won't. It has been the custom of the Speaker to rule as each case comes before us. Since there is no case specifically before us, a judgment or question of interpretation of any particular rule, we just try to do it on a case-by-case basis."

SSB 4494 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Wojahn, McManus, Gaspard, Haley, Lee and Conner; by Lieutenant Governor request)

Establishing the Washington state advisory council on international trade development.

Referred to Committee on Commerce & Economic Development

SSB 4578 by Committee on Parks & Ecology (originally sponsored by Senators Rinehart, Vognild, Owen and Granlund; by Parks and Recreation Commission request)

Revising certain boating safety provisions.

Referred to Committee on Environmental Affairs

SB 4668 by Senators Vognild, McManus, Lee and McDermott (by Emergency Commission on Economic Development request)

Establishing the Washington State University small business development center.

Referred to Committee on Commerce & Economic Development

SB 4696 by Senator Lee

Establishing an equalized calculation formula for levies by certain school districts.

Referred to Committee on Education

SSB 4706 by Committee on Transportation (originally sponsored by Senators Conner, Peterson and Bottiger)

Removing the Hood Canal bridge from the Puget Sound ferry system.

Referred to Committee on Transportation

SSB 4709 by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, Vognild and Bender; by Emergency Commission Development request)

Providing for plant closures and employee layoffs.

Referred to Committee on Commerce & Economic Development

SB 4773 by Senators Vognild and McManus

Extending the small business innovators' opportunity program.

Referred to Committee on Commerce & Economic Development

SSB 4788 by Committee on Parks & Ecology (originally sponsored by Senators Woody, Haley, Hughes, Lee, Rinehart and Goltz)

Authorizing the creation of habitat buffer zone to protect endangered and threatened species.

Referred to Committee on Environmental Affairs

SSB 4849 by Committee on Commerce & Labor (originally sponsored by Senator Hughes)

Establishing the honorary commercial attache' program.

Referred to Committee on Commerce & Economic Development

ESB 4852 by Senator Hughes

Relating to international investment.

Referred to Committee on Commerce & Economic Development

MOTIONS

On motion of Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 3064 was rereferred from Committee on Commerce and Economic Development to Committee on Transportation.

On motion of Mr. Heck, the Rules Committee was relieved of the following bills and they were ordered placed on the bottom of the second reading calendar: HOUSE BILL NO. 593, HOUSE BILL NO. 1130, HOUSE BILL NO. 1620, HOUSE BILL NO. 1653 and HOUSE BILL NO. 1396.

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1649, by Representatives J. King, Ellis, Silver and Heck

Expanding ex parte communications in quasi-judicial proceedings.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives J. King and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1649, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Kaiser, Nelson D - 2.

Excused: Representative Fisher - 1.

House Bill No. 1649, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

MOTION FOR RECONSIDERATION

Mr. Locke, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute House Bill No. 1584 failed to pass the House.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Substitute House Bill No. 1584 failed to pass the House, and the motion was carried by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Grimm, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Betrozoff, Bond, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, King R, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Todd, Van Luven, Vander Stoep, West, Williams J, Wilson, Zellinsky - 47.

Excused: Representative Fisher - 1.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1584.

Representatives Gallagher, Grimm, Ebersole, Broback, Wang, Charnley and Hine spoke in favor of passage of the bill, and Representatives Egger, Todd, Garrett and Isaacson spoke against it.

POINT OF INQUIRY

Mr. Grimm yielded to question by Ms. Haugen.

Ms. Haugen: "Representative Grimm, in my community we are having a little problem with our water. We have a lot of people who have lived there for a long time and we have people who are moving there, and as a result, people who have lived there a long time are finding their wells have become very high in silt content and it's becoming a real problem where our water is going to be no good. I was just wondering, with this sort of thinking, do you suppose that next year the people from the 10th District could introduce a bill that would allow us to blow up our bridges to keep the pollutants out? The people who are polluting are the people who come."

Mr. Grimm: "Although resorting to the destruction of bridges may be too drastic an action, Representative Haugen, I happen to agree with the lady from the 33rd District, that in order to protect water quality, if there is action to be taken in order to give the local governmental jurisdiction the authority to decide whether or not that water quality should be protected and what, if any, restrictions should be applied in order to maintain that water quality, I would support you. I would have supported you six years ago when I was a legislator here for the first time, and I will support you as long as I am a legislator here. I happen to think it's a prudent course of action."

Mr. Barrett spoke against passage of the bill.

Mr. Heck demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on reconsideration of the final passage of Engrossed Substitute House Bill No. 1584, and the bill passed the House by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Brekke, Broback, Brough, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Gallagher, Galloway, Grimm, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sryan, Schoon, Scott, Smitherman, Sutherland, Tanner, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Braddock, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, King R, Lewis, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Van Luven, Vander Sloep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Excused: Representative Fisher - 1.

Engrossed Substitute House Bill No. 1584, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1346, by Representatives Moon, Miller and Ballard

Modifying jurisdiction of water and sewer districts by city acquisition.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 23rd Day, January 31, 1984.)

On motion of Mr. Moon, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon and Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1346, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,

Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fisher - 1.

Engrossed House Bill No. 1346, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1171, by Representatives Sayan, Powers, Zellinsky, Smitherman, Vekich and Schmidt

Requiring that certain conditions be met prior to receiving a grant or loan for sanitary sewage facilities.

The bill was read the second time.

Mr. Van Dyken moved adoption of the following amendments:

On page 2, line 8 strike "after June 30, 1984."

On page 2, line 8 after "made" insert "heretofore or hereafter"

On page 2, line 11 after "department" insert "”; PROVIDED FURTHER, That if the funds would be expended prior to each grant previously distributed being increased to seventy-five percent, the remaining funds shall be distributed pro-rata”"

Mr. Van Dyken spoke in favor of the amendments, and Mr. Sayan spoke against them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Van Dyken to House Bill No. 1171, and the amendments were adopted by the following vote: Yeas, 49; nays, 47; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 49.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Schmidt, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 47.

Absent: Representative Scott - 1.

Excused: Representative Fisher - 1.

Mr. Dickie moved adoption of the following amendment by Representatives Dickie, Clayton and Mitchell:

On page 2, line 19 after "loans." insert "Local governments shall not be required to construct eligible facilities until the matching funds required by this section are available."

Representatives Dickie, Sayan, Van Dyken and Clayton spoke in favor of the amendment.

Mr. Sayan spoke again in favor of the amendment, and it was adopted.

Mr. Sayan moved adoption of the following amendment by Representatives Sayan, Zellinsky, Schmidt, Smitherman, Powers and Vekich:

On page 4, line 5 insert:

"NEW SECTION. Sec. 4. The planning and community affairs agency, or its successor, shall study the problems associated with the lack of capital for public sanitary facilities and shall also consider the hardships imposed on communities by the existing percentage of construction costs for such facilities provided by state matching grants and shall make recommendations to the legislature prior to the 1985 regular legislative session."

Representatives Sayan, Van Dyken and Ballard spoke in favor of the amendment, and it was adopted.

Mr. Van Dyken moved adoption of the following amendment:

On page 1, beginning on line 20 strike the remainder of the bill and insert:

"NEW SECTION. Sec. 2. The planning and community affairs agency, or its successor, shall study the problems associated with the lack of capital for public sanitary facilities and shall also consider the hardships imposed on communities by the existing percentage of construction costs for such facilities provided by state matching grants and shall make recommendations to the legislature prior to the 1985 regular legislative session."

Mr. Van Dyken spoke in favor of the amendment, and Representatives Sayan, Vekich and Powers spoke against it.

Mr. Sayan again opposed the amendment, and Representatives Nealey and Mitchell spoke in favor of it.

Ms. Powers spoke again in opposition to the amendment, and Mr. Van Dyken again spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to House Bill No. 1171, and the amendment was adopted by the following vote: Yeas, 51; nays, 44; absent, 2; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Jacobsen, Johnson, King P, Long, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 51.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Kaiser, King J, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Monohon, Nelson D, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 44.

Absent: Representatives Burns, Niemi - 2.

Excused: Representative Fisher - 1.

MOTION FOR RECONSIDERATION

Ms. Schmidt, having voted on the prevailing side, moved that the House reconsider the vote by which the Van Dyken amendment to page 1, line 30 to House Bill No. 1171 was adopted.

Representatives Schmidt, Zellinsky and Smitherman spoke in favor of the motion, and Representatives Vander Stoep and Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Van Dyken amendment to page 1, line 20 to House Bill No. 1171 was adopted, and the motion was lost by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Allen, Appelwick, Barnes, Belcher, Burns, Crane, Ebersole, Ellis, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Sayan, Schmidt, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 44.

Voting nay: Representatives Addison, Ballard, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Jacobsen, Johnson, Lewis, Long, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Rust, Sanders, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 51.

Absent: Representatives Armstrong, Fisch - 2.

Excused: Representative Fisher - 1.

House Bill No. 1171 was ordered engrossed. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1171, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Padden, Sanders, Stratton, Taylor, West - 6.
Excused: Representative Fisher - 1.

Engrossed House Bill No. 1171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1493, by Representatives McMullen, Padden, Dellwo and Ebersole

Modifying provisions relating to interest payments on workers' compensation awards and benefits.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 27th Day, February 4, 1984.)

On motion of Mr. R. King, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1493, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Betzozoff - 1.
Excused: Representative Fisher - 1.

Engrossed House Bill No. 1493, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

HOUSE BILL NO. 1238, by Representatives Galloway, Dickie, Holland, J. King, Long, Belcher, Ebersole, Tanner, Sutherland, Heck, Barrett, Dellwo, Fuhrman, L. Smith and Stratton

Revising the laws regulating schools for the deaf and blind.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1238 was substituted for House Bill No. 1238, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1238 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Galloway and Long spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1238, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fisher - 1.

Substitute House Bill No. 1238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1241, by Representatives Haugen, Wilson and Egger

Establishing provisions for protection of property buyers when water supply is not potable.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1241 was substituted for House Bill No. 1241, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1241 was read the second time.

On motion of Ms. Haugen, the following amendment was adopted:

On page 1, line 7 after "70.119.020" insert "or a private well"

On motion of Mr. Barrett, the following amendments were adopted:

On page 1, line 19 strike "seller shall be liable" and insert "buyer may elect to void the sale"

On page 1, line 22 beginning with "A sale" strike all the material down to and including "supply." on line 29 and insert "At any time the buyer may sign a written waiver of this right to void the sale."

On motion of Ms. Haugen, the following amendments by Representatives Haugen and Broback were adopted:

On page 2, beginning on line 1 strike all of section 2.

On page 1, line 1 of the title strike "new sections" and insert "a new section"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1241, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fisher - 1.

Engrossed Substitute House Bill No. 1241, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1407, by Representatives Tanner, L. Smith and B. Williams

Modifying provisions relating to transportation of forest products in waters of the state.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No. 1407 was substituted for House Bill No. 1407, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1407 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Tanner and L. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1407, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fisher - 1.

Substitute House Bill No. 1407, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1419, by Representative Lux

Modifying provisions relating to state employee group insurance programs.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1419, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fisher - 1.

House Bill No. 1419, having received the 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 Mr. Heck, HOUSE BILL NO. 1637, HOUSE BILL NO. 1758, HOUSE BILL NO. 1556 and HOUSE BILL NO. 1618 were placed at the top of the second reading calendar.

Mr. Barrett moved that the House immediately consider HOUSE BILL NO. 1185.

Mr. Barrett spoke in favor of the motion.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be the motion by Representative Barrett, that the House immediately consider House Bill No. 1185.

Mr. Heck spoke against the motion, and Mr. Barrett spoke in favor of it.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the House immediately consider House Bill No. 1185, and the motion was lost by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charley, Crane, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Fisher - 1.

HOUSE BILL NO. 1637, by Representatives D. Nelson, Sutherland, Locke, Rust and Brekke

Providing for agreements with the federal government on the long-term disposal of high-level radioactive waste.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1637 was substituted for House Bill No. 1637, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1637 was read the second time.

The Clerk read the following amendment by Representatives Long and Isaacson:

On page 3, line 30 after "board" insert "and the department of ecology" and after "shall" strike everything through "to" on line 31.

With the consent of the House, Ms. Long withdrew the amendment.

On motion of Mr. Isaacson, the following amendment was adopted:

On page 5, after line 27 insert:

"(10) AUTHORITY TO DELEGATE AND RECEIVE ASSISTANCE. The board may request the department to undertake any of the activities assigned to the board by the provisions of this chapter. The board may delegate to the department authority to represent the board for the purpose of carrying out ongoing program activities: PROVIDED, That the department will keep the board fully informed on all activities undertaken for the board: PROVIDED FURTHER, That the board will remain responsible for all final policy recommendations or actions required by the provisions of this chapter."

Ms. Long moved adoption of the following amendment by Representatives Long, D. Nelson and Isaacson:

On page 7, following line 7 insert a new subsection as follows:

"(5) In performing their responsibilities under this section, the board and its membership shall use good faith efforts and their best judgments to: (a) develop an ongoing program to inform the public of its actions and to address concerns of the public as they arise; (b) insure, to the extent feasible, that:

(i) No right to which the state is entitled under the Nuclear Waste Policy Act of 1982 (42 USCS 10101 et. seq.) be waived by written agreement;

(ii) The state be afforded adequate remedies in the event of breach of the written agreement;

(iii) Wherever possible, the state obtain through agreement additional rights and privileges which are not inconsistent with the Nuclear Waste Policy Act;

(iv) The written agreement incorporate the funding under provisions of section 116 of the Nuclear Waste Policy Act as a federal contractual obligation with the state of Washington;

(v) The written agreement contains provisions specifying the minimum level of funding that the state will receive from the U.S. Department of Energy under section 116 of the Nuclear Waste Policy Act with respect to public health and safety, environmental, socio-economic and related impacts which are anticipated at the time of agreements; allows for cost escalation and scope of project changes; and further contains provisions specifying how the amount of funding will be determined with respect to later environmental, socio-economic and related impacts;

(vi) The consultation and cooperation agreement provided for in the Nuclear Waste Policy Act be executed by the earliest possible date in order that the state be adequately protected by such agreement at all points in the federal-state relationship; and

(vii) The Washington state legislature be fully apprised of the status of the negotiation of the written agreement."

Representatives Long and Isaacson spoke in favor of the amendment.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

Mr. D. Nelson spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Long, D. Nelson and Isaacson to Substitute House Bill No. 1637, and the amendment was adopted by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Loven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fisher - 1.

On motion of Mr. Isaacson, the following amendments by Representatives Isaacson and Long were adopted:

On page 7, line 19 after "energy to" insert "the governor."

On page 7, line 24 after "an agreement" insert "on behalf of the legislature"

The Clerk read the following amendment by Representative Isaacson:

Beginning on page 7, line 30 strike sections 10 and 11.

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Isaacson withdrew the amendment.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Long:

On page 10, line 1 strike "for review and action by the full legislature." and insert "who shall be authorized to execute approval or nonapproval documents."

Mr. Isaacson spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, if there is a requirement with a time line on it that would require the legislature to approve a site selection process and if that was not done in a timely manner, and the Department of Energy would make a site selection without the express approval of the legislature, what would be the effect of that with respect to the right of the legislature to respond to the ability to

either approve or disapprove a site selection? This is the site selection process portion of the bill."

Mr. D. Nelson: "Representative Isaacson, the legislature could move to take its position on the site selection or it could choose not to. The bill leaves it to the political process as does the amendment because the amendment says 'are authorized to;' it doesn't say they 'must.' Obviously, we can't bind the legislature. My preference is for the general language that allows flexibility when that decision, several years in the future, arises."

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Isaacson and Long to page 10 of Substitute House Bill No. 1637, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Sloep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Fisher - 1.

On motion of Mr. Isaacson, the following amendments by Representatives Isaacson and Long were adopted:

On page 10, line 3 after "After the" insert "governor or the"

On page 10, line 3 strike "takes" and insert "take"

On page 10, line 4 after "the chief clerk of the house of origin" and insert "or the governor"

On page 10, line 14 strike all of section 13 and insert:

"NEW SECTION, Sec. 13. TECHNICAL PROGRAM. The department shall provide administrative and technical staff support as requested by the board. As directed by the board, the department of ecology shall be responsible for obtaining and coordinating technical expertise necessary for state participation in nuclear waste programs and shall be responsible for ongoing technical coordination and administration of program activities. Other state agencies shall assist the board in fulfilling its duties to the fullest extent possible. The board and/or the department may contract with other state agencies to obtain expertise or input uniquely available from that agency."

Mr. Isaacson moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. DEFINITIONS. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Department' means the department of ecology.

(2) 'Director' means the director of ecology.

(3) 'Federal department of energy' means the federal department of energy or any successor agency assigned responsibility for the long-term disposal of high-level radioactive waste.

(4) 'High-level radioactive waste' means 'high-level radioactive waste' as the term is defined in 42 U.S.C. sec. 10101 (P.L. 97-425).

NEW SECTION, Sec. 2. (1) COORDINATION. (a) INITIAL AGENCY TO BE CONTACTED. The department shall serve as the initial agency in this state to be contacted by the federal department of energy or any other federal agency on any matter related to the long-term disposal of high-level radioactive waste.

(b) RECEIPT OF INFORMATION. The department shall serve as the initial agency in this state to receive any report, study, document, information, or notification of proposed plans from the federal department of energy or any other federal agency on any matter related to the long-term disposal of high-level radioactive waste. Notification of proposed plans include notification of proposals to conduct field work, on-site evaluation, on-site testing, selection as an interim storage site, monitored retrievable storage site, defense waste storage site, or similar activities.

(c) DISSEMINATION OF INFORMATION. The department shall disseminate or arrange with the federal department of energy or other federal agency to disseminate information received

under (b) of this subsection to the legislature, appropriate state agencies, local units of government, regional planning commissions, American Indian tribal governing bodies, the radioactive waste advisory council, and persons who have requested in writing to receive this information.

(d) RESPONSE. The department shall respond to contacts under (a) of this subsection and information received under (b) of this subsection if a response is appropriate. The department shall consult with the legislature, the radioactive waste advisory council, and with appropriate state agencies, local units of government, regional planning commissions, American Indian tribal governing bodies, the general public, and interested citizen groups in preparing this response.

(2) ADVOCATE. The department shall serve as an advocate on behalf of the citizens of this state before the federal department of energy and other federal agencies on matters related to the long-term disposal of radioactive waste.

(3) EDUCATIONAL PROGRAMS. The department shall promote and coordinate through the radioactive waste advisory council educational programs which provide information on the nature of high-level radioactive waste, the long-term disposal of these wastes, the activities of the department with respect to radioactive waste, the activities of the federal department of energy and other federal agencies related to the long-term disposal of high-level radioactive waste, and the opportunities of the public to participate in procedures and decisions related to the long-term disposal of high-level radioactive waste.

(4) REVIEW OF APPLICATIONS FOR FEDERAL FUNDS. The department shall review any application to the federal department of energy or other federal agency by a state agency, local unit of government, or regional planning commission for funds for any program related to the long-term disposal of high-level radioactive waste. If the department finds that the application is not consistent with the department's policy related to the long-term disposal of high-level radioactive waste or that the application is not in the best interest of the state, the department shall forward its findings to the governor and the federal agency to which the application for funds is being made.

(5) MONITOR FEDERAL ACTIVITY. The department shall monitor activity in congress and the federal government related to the long-term disposal of high-level radioactive waste. The department may advise the congressional delegation from this state of action which is needed to protect the interests of the state.

(6) REQUEST ATTORNEY GENERAL TO INTERVENE. If appropriate, the department shall request the attorney general to intervene in federal proceedings to protect the state's interests and present the state's point of view on matters related to the long-term disposal of high-level radioactive waste.

NEW SECTION. Sec. 3. NEGOTIATION OF AGREEMENTS. (1) NEGOTIATIONS. The department shall negotiate agreements and modifications to agreements with the federal department of energy. Additionally, the department shall consult with the radioactive waste advisory council and the legislature during the negotiation of any agreement or modification to an agreement with the federal department of energy.

(2) HEARINGS. The department shall conduct more than one public hearing on any proposed agreement or modification to an agreement negotiated under subsection (1) of this section. The department shall provide thirty days' notice of the date and location of hearings conducted under this subsection. The department shall prepare a written summary of testimony presented at hearings conducted under this subsection and shall consider the need for modifications to the negotiated agreement as a result of the hearings.

(3) APPROVAL OF AGREEMENTS AND MODIFICATIONS BY THE LEGISLATURE. No agreement or modification to an agreement negotiated under subsection (1) of this section may take effect unless it is reviewed under section 4 of this act.

NEW SECTION. Sec. 4. APPROVAL OF AGREEMENT. (1) The department shall submit a copy of any written agreement, or modification of an agreement, recommended to be approved by the department and approved by the federal department of energy to the speaker of the house of representatives, the president of the senate, to the chairs of the committees on energy and utilities of the house of representatives and the senate, to the chair of the committee on environmental affairs in the house of representatives, and to the chair of the committee on parks and ecology in the senate.

(2) The committees on energy and utilities of the house of representatives and the senate may review the proposed written agreement or modification to an agreement within thirty days after receipt of the department recommendation under subsection (1) of this section. The committees may recommend approval or disapproval of the written agreement or modification of the agreement to the speaker of the house of representatives and the president of the senate for review by the legislature.

NEW SECTION. Sec. 5. NEGOTIATION OF TECHNICAL REVISIONS. (1) TECHNICAL REVISIONS. The department may recommend what in the director's judgment are technical revisions to any agreement approved under section 4 of this act.

(2) REVIEW OF TECHNICAL REVISIONS BY THE LEGISLATURE AND GOVERNOR. No technical revision to an agreement negotiated under subsection (1) of this section may take effect unless it is considered approved under section 6 of this act.

NEW SECTION, Sec. 6. REVIEW OF TECHNICAL REVISIONS. (1) SUBMISSION. The department shall submit any technical revision to a written agreement negotiated under section 5(1) of this act, approved by the department and approved by the federal department of energy or other federal agency, to the presiding officer of each house of the legislature and to the governor.

(2) REFERRAL TO COMMITTEES. Each presiding officer shall refer the technical revision to the committee on energy and utilities of the appropriate house within seven working days after the day on which the revision is received. Each presiding officer shall cause a statement to appear in the journal of the appropriate house that a technical revision to an agreement approved under section 4 of this act is submitted for review.

(3) COMMITTEE REVIEW. Either committee on energy and utilities may object to the technical revision by taking action in executive session within thirty days after the revision is referred to the committee. If a committee objects to the revision, it shall submit a written notice of the objection to the presiding officer of that house for review by the legislature. The presiding officer shall cause the written notice of the objection to appear in the journal of the house.

(4) NO OBJECTION. If neither committee objects to a technical revision within the thirty-day review period, the revision is considered approved and shall take effect.

NEW SECTION, Sec. 7. REVIEW OF FINAL SITE SELECTION AND SITE PLAN. (1) REVIEW BY THE DEPARTMENT. If the federal department of energy recommends a site in the state to the president of the United States for site characterization as a repository for the long-term disposal of high-level radioactive waste, the department shall review the selected site. The review shall include a full review of the adequacy of the selected site. The department shall solicit written comments on the selected site from the radioactive waste advisory council. The department shall use recognized experts in conducting its review. The department shall conduct more than one public hearing concerning the selected site and shall make available to the public arguments and evidence for and against the selected site. The department shall provide thirty days' notice of the date and location of the public hearings. The department shall solicit comments from appropriate state agencies, local units of government, regional planning commissions, American Indian tribal governing bodies, the general public, and interested citizen groups on the adequacy of the selected site. The department shall make these comments available to the public.

(2) RECOMMENDATION TO THE LEGISLATURE AND THE GOVERNOR. After completing this review, the department shall submit a recommendation to the speaker of the house of representatives, the president of the senate, the governor, the committees on energy and utilities of the house of representatives and senate, the committee on environmental affairs in the house of representatives, and the committee on parks and ecology in the senate, on whether the state should accept the site selected by the federal department of energy. The recommendation to the speaker of the house of representatives and the president of the senate shall be accompanied by a request for the introduction of a bill to approve the site selected or by a request for the introduction of a bill to disapprove the site.

(3) LEGISLATIVE REVIEW. The committees on energy and utilities of the house of representatives and senate shall review the department's recommendation within thirty days after receipt of the department's recommendation under subsection (2) of this section. The committees shall recommend approval or disapproval of the recommendation to the speaker of the house of representatives and the president of the senate for review by the full legislature.

(4) TRANSMITTAL OF ACTION BY THE LEGISLATURE AND THE GOVERNOR. After the legislature takes action under subsection (3) of this section, the chief clerk of the house of origin shall notify the department of the action taken and the department shall send a report to the president of the United States, the members of the United States senate, the members of the United States house of representatives, the federal department of energy, and other appropriate federal agencies. The report shall contain a summary of the review undertaken by the department in accordance with subsection (1) of this section, the recommendation made by the department under subsection (2) of this section, and the action of the legislature under subsection (3) of this section.

Sec. 8. Section 4, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.040 are each amended to read as follows:

~~((There is hereby created a nuclear waste policy and review board to assist the department in carrying out its responsibilities under this chapter. The board shall consist of the following members: The chairman of the advisory council who shall also serve as chairman of the review board, the director of the department or the director's designee, the director of the energy office or the director's designee, the commissioner of public lands or the commissioner's designee, the secretary of social and health services or the secretary's designee, the chairman of the energy facility site evaluation council or the chairman's designee, four members of the state senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker, who shall be selected from each of the caucuses in each house, but no more than two members of each house shall be of the same political party.~~

~~Legislative members shall be ex officio nonvoting members of the board and shall serve while members of the legislature, at the pleasure of the appointing officer.)) The ((board)) department of ecology shall be responsible for identifying ((and)), reviewing, and establishing state agency policies relating to the management of radioactive wastes; analyzing recommendations of the advisory council to determine how state agencies may be responsive to the needs of the department in carrying out its duties under this chapter; ((assisting the department in determining)) determine ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the governor to effectively evaluate federal actions; reviewing the activities of advisory and technical committees created by the governor; ((advising the director on)) determine the need for additional advisory and technical committees; and ((assisting the department to)) participate in the consultation and concurrence process provided for in the federal waste management act of 1982 and the low-level waste policy act of 1980 and to monitor and comment on decisions of the northwest interstate compact committee on low-level radioactive waste management.~~

~~((Nonlegislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120. The legislature shall seek reimbursement from available sources, including the federal government, for legislative expenditures incurred pursuant to the provisions of this act.))~~

Sec. 9. Section 5, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.050 are each amended to read as follows:

~~((†)) An advisory council is hereby established of not less than fifteen members appointed by the governor to provide advice, counsel, and recommendations to the department on all aspects of the radioactive waste management program. The council shall particularly advise the department on maximizing opportunities for public involvement in the program, soliciting public input, and assisting in the need for wide understanding of the issues involved in nuclear waste management. The governor shall appoint the chairman of the advisory council ((who shall also serve as chairman of the waste policy and review board)). Members of the council shall be selected from all areas of the state and shall include a broad range of citizens, representatives of local governments, and representatives of such other interests as the governor determines will best further the purposes of this chapter. A representative of an affected Indian tribe may be an ex officio nonvoting member of the council. Terms of council members shall not exceed two years and they shall continue to serve until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members may be reappointed. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.~~

~~NEW SECTION. Sec. 10. As used in this act, section captions constitute no part of the law.~~

~~NEW SECTION. Sec. 11. Sections 1 through 7 of this act are each added to chapter 43.200 RCW."~~

Mr. Isaacson spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

Mr. Isaacson spoke again in favor of the amendment.

Mr. D. Nelson demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the striking amendment by Representative Isaacson to Substitute House Bill No. 1637, and the amendment was not adopted by the following vote: Yeas, 29; nays, 68; excused, 1.

Voting yea: Representatives Barnes, Barrett, Betrozoff, Bond, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Mitchell, Nealey, Nelson G, Padden, Prince, Schmidt, Schoon, Smith C, Smith L, Stratton, Struthers, Van Dyken, Van Luven, Williams B, Williams J, Wilson - 29.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Saryan, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 68.

Excused: Representative Fisher - 1.

Substitute House Bill No. 1637 was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives D. Nelson, Sutherland and Long spoke in favor of passage of the bill, and Representatives Hankins and Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1637, and the bill passed the House by the following vote: Yeas, 85; nays, 12; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Bond, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Nealey, Smith C, Struthers, Van Luven - 12.

Excused: Representative Fisher - 1.

Engrossed Substitute House Bill No. 1637, having received the 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

Mr. G. Nelson moved that HOUSE BILL NO. 1185 be made a Special Order of Business for 4:50 p.m.

Mr. G. Nelson spoke in favor of the motion, and Representatives Wang and Heck spoke against it.

Mr. G. Nelson spoke again in favor of the motion.

Mr. Taylor demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that House Bill No. 1185 be made a Special Order of Business for 4:50 p.m. today, and the motion was lost by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Fisher - 1.

MOTIONS

On motion of Mr. Heck, HOUSE BILL NO. 1511 was made a Special Order of Business for 4:59 p.m.

On motion of Mr. Heck, HOUSE BILL NO. 1589 was placed on the calendar for immediate consideration.

HOUSE BILL NO. 1589, by Representatives Brekke, Smitherman, J. King, O'Brien, Braddock, Wang, Haugen, Todd, Tanner, Tilly, Addison and Powers

Developing a work incentive program demonstration project proposal.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 1589 was substituted for House Bill No. 1589, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1589 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke, Tilly and B. Williams spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Brekke, I'm concerned and others have expressed this in our caucus: Is this program intended to have some net savings to the taxpayers in this state?"

Ms. Brekke: "There will be a net savings estimated at \$1.5 to \$2 million each year that can be used and is directed to be used for training and support services to help people who are on public assistance."

Representatives Kreidler and Isaacson spoke in opposition to the bill, and Mr. Addison spoke in favor of it.

POINT OF INQUIRY

Representative Isaacson asked Representative Brekke to yield to question, and she refused to yield.

Ms. Hine spoke in favor of the bill, and Mr. Locke spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1589, and the bill passed the House by the following vote: Yeas, 81; nays, 16; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fiske, Fuhrman, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Belcher, Charnley, Dellwo, Fisch, Gallagher, Garrett, Halsan, Jacobsen, King R, Kreidler, Locke, O'Brien, Pruitt, Stratton, Struthers, Wang - 16.

Excused: Representative Fisher - 1.

Substitute House Bill No. 1589, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Heck to preside.

SPECIAL ORDER OF BUSINESS

The hour of 4:59 having arrived, the Speaker (Mr. Heck presiding) stated the question before the House to be consideration of House Bill No. 1511.

HOUSE BILL NO. 1511, by Representatives Smitherman, J. King, Barrett, Halsan, Dellwo and Powers

Providing for tourism development.

The bill was read the second time.

Mr. J. King moved that Substitute House Bill No. 1511 be substituted for House Bill No. 1511, and the substitute bill be placed on the calendar for second reading.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that Substitute House Bill No. 1511 be substituted for House Bill No. 1511, and the motion was carried by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representative Fisher - 1.

Substitute House Bill No. 1511 was read the second time.

Ms. Brough moved adoption of the following amendments:

On page 1, line 22 strike "eight" and insert "sixteen"

On page 1, line 23 following "governor" strike all language through "representatives" on page 1, line 25.

On page 1, line 26 following "governor" strike all language through "representatives" on page 1, line 27.

On page 2, line 6 after "making" strike all material through "house" on line 7 and insert "his appointments, the governor"

Representatives Brough and Tilly spoke in favor of the amendments, and Representatives J. King and Smitherman spoke against them.

The amendments were not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 2, strike lines 15 through 17 and insert "house, one from each of the two largest political caucuses in each house."

Mr. Tilly spoke in favor of the amendment, and Representatives Smitherman and J. King spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 2, line 15 of Substitute House Bill No. 1511, and the amendment was not adopted by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Locke, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Fisher - 1.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and B. Williams:

On page 2, line 21 strike "shall be held within forty-five days of the effective date of this act" and insert "may be convened at the call of the governor"

Representatives Schmidt and Smitherman spoke in favor of the amendment, and it was adopted.

On motion of Mr. Tilly, the following amendment by Representatives Tilly and Stratton was adopted:

On page 2, after line 25 insert "The chairperson shall be a member from the state tourism industry."

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt, Barrett and Silver:

On page 3, strike lines 9 through 13.

On page 3, line 15 after "strategies" strike all material through "funding" and insert "including the role of the private sector"

Renumber the remaining subsections consecutively.

Representatives Schmidt, Barrett and Brough spoke in favor of the amendments, and Mr. Smitherman spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Schmidt and others to page 3 of Substitute House Bill No. 1511, and the amendments were not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Fisher - 1.

Mr. Isaacson moved adoption of the following amendment:

On page 3, line 18 after "state" insert "including actions or policies needed to encourage development of tourism in the Mt. St. Helens area"

Representatives Isaacson and Smitherman spoke in favor of the amendment, and it was adopted.

Mr. B. Williams moved adoption of the following amendment by Representatives B. Williams, Stratton, Schmidt and Barrett:

On page 4, after line 3 insert the following new section:

"NEW SECTION. Sec. 9. There is appropriated from the general fund to the department of commerce and economic development the sum of one million two hundred thousand dollars or so much thereof as may be necessary to fund tourism development."

Renumber the remaining sections consecutively.

Representatives B. Williams, Stratton and Schmidt spoke in favor of the amendment, and Representatives J. King and Hine spoke against it.

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, if an amendment is placed on a measure in front of this body that's \$50,000 or greater, does that automatically refer the bill to Ways & Means?"

SPEAKER'S RULING (MR. HECK PRESIDING)

The Speaker (Mr. Heck presiding): "Representative Nelson, the answer is 'no.' I would refresh your memory, however. The specific language under Rule 25(d)(6) reads: 'All bills having a direct negative revenue impact or a direct appropriation of fifty thousand dollars (\$50,000) or more shall be referred to the ways and means committee before their final passage.'"

MOTION

Mr. G. Nelson moved that the rules be suspended with respect to Rule 25(d)(6) with regard to Substitute House Bill No. 1511.

Ms. Schmidt spoke in favor of the motion, and Ms. Hine spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules with regard to Rule 25(d)(6) with regard to Substitute House Bill No. 1511, and the motion was lost by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick,

Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Fisher - 1.

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, is it my understanding that if the amendment with a direct appropriation would have passed, that it would keep Substitute House Bill No. 1511 alive beyond the cutoff of February 9?"

The Speaker (Mr. Heck presiding): "No."

The Speaker (Mr. Heck presiding) stated the question before the House to be the amendment by Representative B. Williams and others to page 4, adding a new section 9.

Representatives Tilly, Brough, Schoon and C. Smith spoke in favor of the amendment, and Representatives Armstrong and Appelwick spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams and others to Substitute House Bill No. 1511, and the amendment was not adopted by the following vote

Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Fisher - 1.

Representative B. Williams was excused.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland, Smitherman and Isaacson:

On page 4, after line 5, insert the following:

"NEW SECTION, Sec. 10. There is added to chapter 53.08 RCW a new section to read as follows:

Any port district in this state, acting through its commission, has power to expend moneys and conduct promotion of resources and facilities in the district or general area by advertising, publicizing, or otherwise distributing information to attract visitors and encourage tourist expansion."

Renumber the remaining section consecutively.

Mr. Sutherland spoke in favor of the amendment, and Mr. Moon spoke against it.

The amendment was adopted.

On motion of Mr. Sutherland, the following amendment to the title was adopted:

On page 1, line 1 of the title after "development;" insert "adding a new section to chapter 53.08 RCW:"

The bill was ordered engrossed. Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I make a point of order that this motion made by the gentleman from the 23rd District is out of order in that the Special Order of

Business for 4:59 p.m. this evening was to consider House Bill No. 1511, which would only be considered on the sixth order of business. It does not give the privilege of advancing a measure from the sixth order to the seventh order for a vote. I think it's in direct violation of our House Concurrent Resolution No. 32, lines 21 through 26, as well as our own House Rule 28 dealing with the advancement of a measure."

SPEAKER'S RULING (MR. HECK PRESIDING)

The Speaker (Mr. Heck presiding): "Representative Nelson, the Speaker rules that the Special Order of Business pertaining to action on House Bill 1511 includes not only the amendatory process, but also reconsideration and any action relating to that bill. Your point is not well taken."

POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, Rule 28, which within it contains a reference to HCR 32, says that for the three days preceding the cutoff which is 5 p.m. on this date, that the rules shall require only that a majority is needed to bump a measure. My inquiry, Mr. Speaker, is now that we have finished those three days, ending at 5 p.m. on this date, are we not now in a position of needing a normal super majority to bump a measure?"

SPEAKER'S RULING (MR. HECK PRESIDING)

The Speaker (Mr. Heck presiding): "Representative Barrett, the answer to your question is that as soon as action is completed on this measure pending before the body, that we will, indeed, revert to the super majority requirement."

The Speaker (Mr. Heck presiding) stated the question before the House to be the motion to advance Engrossed Substitute House Bill No. 1511 to third reading and final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute House Bill No. 1511 to final passage, and the motion was carried by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J - 41.

Excused: Representatives Fisher, Williams B - 2.

The Speaker (Mr. Heck presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1511.

Representatives Smitherman, J. King, Stratton, Sutherland and Powers spoke in favor of the bill, and Representatives Tilly, Schoon, Barrett, L. Smith, Taylor, C. Smith, Ballard, Schmidt and G. Nelson spoke against it.

Mr. Addison demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1511, and the bill passed the House by the following vote: Yeas, 52; nays, 44; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson - 44.

Excused: Representatives Fisher, Williams B - 2.

Engrossed Substitute House Bill No. 1511, having received the 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 Mr. Wang, the House adjourned until 1:30 p.m., Wednesday, February 8, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTY-FIRST DAY**AFTERNOON SESSION**

House Chamber, Olympia, Wash., Wednesday, February 8, 1984

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fisher and Sanders, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Denise Visser and Jeff Koehler. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

VISITING DIGNITARIES

The Speaker recognized, within the House Chambers, Mr. Robert Dawson, Deputy Commissioner General for Expo '86, and appointed Representatives Braddock and Van Dyken to escort him to the rostrum.

Mr. Dawson briefly addressed the House and the Speaker requested the committee to escort him to the State Reception Room.

MESSAGE FROM THE SENATE

February 7, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3223,
 SUBSTITUTE SENATE BILL NO. 3238,
 SENATE BILL NO. 3240,
 REENGROSSED SENATE BILL NO. 3243,
 SUBSTITUTE SENATE BILL NO. 3561,
 ENGROSSED SENATE BILL NO. 4170,
 SUBSTITUTE SENATE BILL NO. 4220,
 ENGROSSED SENATE BILL NO. 4275,
 SENATE BILL NO. 4300,
 SUBSTITUTE SENATE BILL NO. 4306,
 SUBSTITUTE SENATE BILL NO. 4313,
 SENATE BILL NO. 4342,
 SUBSTITUTE SENATE BILL NO. 4343,
 SUBSTITUTE SENATE BILL NO. 4379,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4403,
 ENGROSSED SENATE BILL NO. 4407,
 ENGROSSED SENATE BILL NO. 4432,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4435,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4448,
 SUBSTITUTE SENATE BILL NO. 4477,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4490,
 SUBSTITUTE SENATE BILL NO. 4503,
 ENGROSSED SENATE BILL NO. 4519,
 SUBSTITUTE SENATE BILL NO. 4537,
 SUBSTITUTE SENATE BILL NO. 4561,
 SUBSTITUTE SENATE BILL NO. 4626,
 SENATE BILL NO. 4661,
 SUBSTITUTE SENATE BILL NO. 4722,
 SENATE BILL NO. 4731,
 SUBSTITUTE SENATE BILL NO. 4788,
 ENGROSSED SENATE BILL NO. 4798,
 SUBSTITUTE SENATE BILL NO. 4814.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

SSB 3223 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Hughes, Bender and Fleming; by Attorney General request)

Establishing the Antitrust/Consumer Protection Improvements Act.

Referred to Committee on Judiciary

SSB 3238 by Committee on Local Government (originally sponsored by Senators Zimmerman, Fleming and Bluechel; by Governor Spellman request)

Changing the planning and community affairs agency to the office of community programs.

Referred to Committee on State Government

SB 3240 by Senator Lee (by Joint Administrative Rules Review Committee request)

Conforming lobbyist employer reporting requirements with lobbyist reporting requirements.

Referred to Committee on Constitution, Elections & Ethics

ReESB 3243 by Senators Granlund, Fuller, Owen, McCaslin, Woody and Craswell

Exempting state correctional facilities from the requirements that a percentage of funds be used for public art.

Referred to Committee on State Government

SSB 3561 by Committee on Commerce & Labor (originally sponsored by Senator Vognild)

Modifying qualifications for unemployment compensation.

Referred to Committee on Labor

ESB 4170 by Senators Moore and Sellar

Regulating insurance rates.

Referred to Committee on Financial Institutions & Insurance

SSB 4220 by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, Jones, Vognild, Bender, Moore, Williams, Warnke, Bauer and Zimmerman)

Requiring theatrical enterprises to post bonds or other security.

Referred to Committee on Commerce & Economic Development

ESB 4275 by Senator Shinpoch

Changing provisions concerning the teachers' retirement.

Referred to Committee on Ways & Means

SB 4300 by Senators Peterson and Vognild

Authorizing participation by members of affiliated nonprofit organizations in chapter's gambling activities.

Referred to Committee on Commerce & Economic Development

- SSB 4313 by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman, Hemstad and Moore)
 Authorizing the formation of combined city and county municipal corporations under Art. XI, section 16 of the Constitution.
 Referred to Committee on Local Government
- SB 4342 by Senators Vognild and Newhouse (by Employment Security Department request)
 Making an appropriation to the employment security department to implement its automation plan.
 Referred to Committee on Commerce & Economic Development
- SSB 4343 by Committee on Transportation (originally sponsored by Senators Peterson, Hansen and Patterson; by Department of Transportation request)
 Revising restrictions on state highway work by state forces.
 Referred to Committee on Transportation
- SSB 4379 by Committee on Social & Health Services (originally sponsored by Senators McManus, Moore, Deccio, Sellar and Guess)
 Adopting the dietetics practice act.
 Referred to Committee on Social & Health Services
- ESSB 4403 by Committee on Ways & Means (originally sponsored by Senators McDermott, Zimmerman, Talmadge, Patterson, Fleming, Hughes and Peterson)
 Revising provisions relating to health care costs.
 Referred to Committee on Social & Health Services
- ESB 4407 by Senators Hurley, Woody, Thompson, Hansen, McDermott and Granlund
 Modifying provisions relating to the compensation of school district administrators.
 Referred to Committee on Ways & Means
- ESSB 4432 by Senators Fleming, McDermott and Wojahn
 Establishing a mathematics, engineering, and science achievement program for underrepresented groups.
 Referred to Committee on Education
- ESSB 4435 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Gaspard)
 Enacting provisions relating to racketeering.
 Referred to Committee on Judiciary
- ESSB 4448 by Committee on Social & Health Services (originally sponsored by Senators McManus and Deccio)
 Authorizing certain minor health care services.
 Referred to Committee on Social & Health Services
- SSB 4477 by Committee on Ways & Means (originally sponsored by Senator McDermott)
 Authorizing employer payment of employee contributions under public retirement systems.
 Referred to Committee on Ways & Means

ESSB 4490 by Committee on Energy & Utilities (originally sponsored by Senators McDermott, Rasmussen, Woody, Talmadge, Hurley, Gaspard, Rinehart, Vognild, Peterson and Fleming)

Restricting utilities from terminating utility service for residential space heat.

Referred to Committee on Energy & Utilities

SSB 4503 by Committee on Agriculture (originally sponsored by Senators Hansen and Benitz)

Providing for a bonded wine warehouse license.

Referred to Committee on Agriculture

ESB 4519 by Senators Williams, Hemstad, Woody, Fuller, Rasmussen, Conner, Peterson, Benitz, Quigg and Haley

Providing criteria for the detariffing of the provision of certain telephone services.

Referred to Committee on Energy & Utilities

SSB 4537 by Committee on Social & Health Services (originally sponsored by Senators McManus, Lee, Bender, Shinpoch and Deccio)

Licensing mental health counselors.

Referred to Committee on Social & Health Services

SSB 4561 by Committee on State Government (originally sponsored by Senators Thompson and Fuller; by Governor Spellman request)

Modifying emergency services provisions.

Referred to Committee on State Government

SSB 4626 by Committee on Local Government (originally sponsored by Senators Goltz, Bauer, Quigg and Thompson)

Modifying the prohibition against ex parte communications in quasi-judicial land use proceedings.

Referred to Committee on State Government

SB 4661 by Senators Craswell, Granlund, McManus and Deccio

Protecting disabled persons assisted by service dogs.

Referred to Committee on Social & Health Services

SSB 4722 by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman and Barr)

Modifying the qualifications for the office of county sheriff.

Referred to Committee on Local Government

SB 4731 by Senators Bottiger, Hayner and Conner

Providing membership in the retirement system to otherwise eligible persons enrolled in volunteer firemens' relief and pensions.

Referred to Committee on Ways & Means

SSB 4778 by Committee on Financial Institutions (originally sponsored by Senator Metcalf)

Requiring actions to examine the federal reserve system.

Referred to Committee on Financial Institutions & Insurance

ESB 4798 by Senators Granlund and McManus

Extending prison overcrowding reform act.

Referred to Committee on Social & Health Services

SSB 4814 by Committee on Institutions (originally sponsored by Senator Granlund)

Modifying provisions on children and family services.

Referred to Committee on Social & Health Services

MOTIONS

On motion of Mr. Heck, the bills listed on today's introductions under the fourth order of business were considered first reading and referred to the committees designated.

On motion of Mr. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 4709 was rereferred from Committee on Commerce & Economic Development to Committee on Labor.

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 4730 was rereferred from Committee on Financial Institutions & Insurance to Committee on Judiciary.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-125, by Representatives Broback, Brough, Smitherman, Ebersole, Powers, Wang, Gallagher, Fisher, Schoon, Kaiser, Johnson, Walk and Grimm

WHEREAS, The State of Washington is hosting the Pacific Northwest World Trade Exposition in Tacoma on October 2-4, 1984; and

WHEREAS, The goals of the exposition are:

(1) To enhance trade by increasing awareness of the need to conduct business on a global scale;

(2) To identify current international economic activity between the Pacific Northwest and international markets and to provide for future expansion;

(3) To identify the constraints, political, cultural, and economic, that affect the future of international trade;

(4) To discuss the potential for cultural exchange activity, including tourism;

(5) To provide current information regarding international trade through major speakers, panels, newsletters, and the exhibits; and

(6) To enhance the Puget Sound region as an international trade distribution center; and

WHEREAS, The State of Washington, due to its advantageous location near other countries on the Pacific Rim, is prepared to enjoy expansion in international trade, one of the Pacific Northwest's most exciting growth industries and already a supplier of twenty percent of the jobs in Washington; and

WHEREAS, Importers, agents and distributors from around the world seeking expanded trade opportunities will attend, view exhibits of Northwest products, and meet with Pacific Northwest commercial exporters and business investment specialists, individually and in workshops and seminars; and

WHEREAS, The Pacific Northwest World Trade Council and other area world trade organizations throughout the Pacific Northwest are cooperatively planning for the Exposition;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Pacific Northwest World Trade Council and other sponsoring organizations be commended for their efforts, and that the participants be wished success in their efforts to further our economic well-being.

Mr. Broback moved adoption of the resolution. Representatives Broback and Smitherman spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Heck, the House adjourned until 1:30 p.m., Thursday, February 9, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTY-SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, February 9, 1984

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Ballard, Ellis, Fisher, Fiske, Grimm and Tanner. Representatives Ballard, Fisher, Fiske and Grimm were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Kelly Pidone and Becky Mattila. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

February 8, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4430,
ENGROSSED SENATE BILL NO. 4643,
ENGROSSED SENATE BILL NO. 4678,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

SSB 4306 by Committee on State Government (originally sponsored by Senator Warnke)

Modifying provisions relating to public health.

Referred to Committee on State Government

ESSB 4430 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Hughes)

Modifying provisions relating to courts.

Referred to Committee on Judiciary

ESB 4643 by Senator McDermott

Licensing acupuncturists.

Referred to Committee on Social & Health Services

ESB 4678 by Senators Rinehart, Guess, Wojahn and Zimmerman

Redefining site at which retail sale occurs.

Referred to Committee on Ways & Means

MOTION

Mr. Barrett moved that the rules be suspended to allow immediate consideration of Engrossed Senate Bill No. 4678.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

Mr. O'Brien: "Representative Barrett, it appears to the Speaker that the proper phraseology of your motion would be to move to suspend the rules, Engrossed Senate Bill No. 4678 be advanced to second reading and read the second time in full. Do you want to put the bill into consideration?"

With the consent of the House, Mr. Barrett withdrew the motion.

POINT OF ORDER

Mr. Barrett: "I want to call to the attention of the body that this measure appears to be before us in violation of our Rule 32. Rule 32, as adopted by the House and the Senate, indicates that after the thirtieth day only bills related to revenue and the supplemental budget and the unemployment insurance bill would still be eligible to be considered. Yesterday the Senate, on the 31st day, passed Engrossed Senate Bill 4678, which certainly does not fit under the category of being the supplemental budget or the unemployment insurance bill or a bill relating to revenue. We raise the point of order, Mr. Speaker, on the basis that our rules do not allow us to keep passing bills that are outside the scope of the rule that we and the Senate passed. We would ask that you rule this out of order unless the subject of this particular bill, redefining the site at which a retail sale occurs and appears only in the counties with unequal sales tax assessment, would perhaps relate to revenue if a change is being made in that particular existing law. Otherwise, there seems to be no reason that the Senate could find that this bill was within the scope of the resolution passed by both the House and the Senate."

MOTION

On motion of Mr. Heck, further consideration of Engrossed Senate Bill No. 4678 was deferred and the bill was ordered held for the fourth order of business on the next working day.

REPORTS OF STANDING COMMITTEES

February 8, 1984

ESSB 3616 Prime Sponsor, Committee on Parks & Ecology: Modifying provisions governing air pollution emissions. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 15 after "than" strike "or equal to"

On page 2, line 6 after "continued," strike all material down to and including "legislature." on line 7.

Signed by Representatives Rust, Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lux, Patrick, Pruitt and Van Dyken.

Absent: Representatives Fisher, Vice Chair; Clayton, Lewis and Lux.

Passed to Committee on Rules for second reading.

February 8, 1984

SSB 4287 Prime Sponsor, Committee on Transportation: Permitting seventh-class counties to have a part-time road engineer. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Absent: Representatives Fisher, Gallagher, Locke, McMullen, Mitchell, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 8, 1984

ESB 4289 Prime Sponsor, Senator Granlund: Clarifying provisions on two-way left turn lanes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Locke, Mitchell, Patrick, Prince, Schmidt, C. Smith, Van Luven and Zellinsky.

Absent: Representatives Fisher, McMullen, Vekich, J. Williams and Wilson.

Passed to Committee on Rules for second reading.

February 8, 1984

SB 4304 Prime Sponsor, Senator Talmadge: Modifying the laws governing the redistricting commission. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Jacobsen, Long, Miller, Patrick, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representatives Fisher and Miller.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House advanced to the sixth order of business.

SECOND READING

On motion of Mr. Heck, House Bill No. 593, House Bill No. 1130, Substitute House Bill No. 1172, House Bill No. 1175, House Bill No. 1185, House Bill No. 1230, House Bill No. 1235, House Bill No. 1285, House Bill No. 1396, House Bill No. 1556, House Bill No. 1581, House Bill No. 1618, House Bill No. 1620 and House Bill No. 1758 were rereferred to Committee on Rules from the second reading calendar.

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

On motion of Mr. Heck, House Bill No. 1519 was rereferred from the third reading calendar to Committee on Rules.

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3074, by Committee on Social and Health Services (originally sponsored by Senators Moore, Jones and McManus)

Requiring licensure of occupational therapists.

The bill was read the second time.

On motion of Mr. Kreidler, the following amendments were adopted:

On page 10, strike section 17 and renumber the remaining sections consecutively.

On page 10, after line 7 insert a new section as follows:

"NEW SECTION. Sec. 17. There is added to chapter 18._____ RCW (SSB 3074, Laws of 1984) a new section to read as follows: The board of occupational therapy practice may elect to adopt the uniform disciplinary act (Sections 1 through 24 of SHB 1178) in lieu of the disciplinary procedures outlined under this chapter."

Renumber the remaining sections accordingly.

On page 10, after line 7 insert a new section to read as follows:

"Sec. 18. Section 2, chapter 168, Laws of 1983 and RCW 18.120.020 are each amended to read as follows:

The definitions contained in this section shall apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Applicant group' includes any health professional group or organization, any individual, or any other interested party which proposes that any health professional group not presently regulated be regulated or which proposes to substantially increase the scope of practice of the profession.

(2) 'Certificate' and 'certification' mean a voluntary process by which a statutory regulatory entity grants recognition to an individual who (a) has met certain prerequisite qualifications specified by that regulatory entity, and (b) may assume or use 'certified' in the title or designation to perform prescribed health professional tasks.

(3) 'Grandfather clause' means a provision in a regulatory statute applicable to practitioners actively engaged in the regulated health profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the prerequisite qualifications set forth in the regulatory statute to perform prescribed occupational tasks.

(4) 'Health professions' means and includes the following licensed or regulated professions and occupations: Podiatry under chapter 18.22 RCW; chiropractic under chapters 18.25 and 18.26 RCW; dental hygiene under chapter 18.29 RCW; dentistry under chapter 18.32 RCW; dispensing opticians under chapter 18.34 RCW; hearing aids under chapter 18.35 RCW; drugless healing under chapter 18.36 RCW; midwifery under chapter 18.50 RCW; optometry under

chapters 18.53 and 18.54 RCW; ocularists under chapter 18.55 RCW; osteopathy under chapters 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine under chapters 18.71, 18.71A, and 18.72 RCW; emergency medicine under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses under chapter 18.78 RCW; psychologists under chapter 18.83 RCW; ((and)) registered nurses under chapter 18.88 RCW; and occupational therapists licensed pursuant to chapter 18.127.... RCW (SSB 3074, Laws of 1984).

(5) 'Inspection' means the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' occupation is being carried out in a fashion consistent with the public health, safety, and welfare.

(6) 'Legislative committees of reference' means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate health professions not previously regulated.

(7) 'License', 'licensing', and 'licensure' mean permission to engage in a health profession which would otherwise be unlawful in the state in the absence of the permission. A license is granted to those individuals who meet prerequisite qualifications to perform prescribed health professional tasks and for the use of a particular title.

(8) 'Professional license' means an individual, nontransferable authorization to carry on a health activity based on qualifications which include: (a) Graduation from an accredited or approved program, and (b) acceptable performance on a qualifying examination or series of examinations.

(9) 'Practitioner' means an individual who (a) has achieved knowledge and skill by practice, and (b) is actively engaged in a specified health profession.

(10) 'Public member' means an individual who is not, and never was, a member of the health profession being regulated or the spouse of a member, or an individual who does not have and never has had a material financial interest in either the rendering of the health professional service being regulated or an activity directly related to the profession being regulated.

(11) 'Registration' means the formal notification which, prior to rendering services, a practitioner shall submit to a state agency setting forth the name and address of the practitioner; the location, nature and operation of the health activity to be practiced; and, if required by the regulatory entity, a description of the service to be provided.

(12) 'Regulatory entity' means any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state.

(13) 'State agency' includes every state office, department, board, commission, regulatory entity, and agency of the state, and, where provided by law, programs and activities involving less than the full responsibility of a state agency."

On page 1, line 1 of the title after the semicolon insert "amending section 2, Laws of 1983 and RCW 18.120.020;"

On page 1, line 1 after the semi-colon strike all language to the semicolon on line 2.

On motion of Mr. Sayan, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Kreidler, the short amendment eliminates the fee schedule for fifty-eight occupations. I didn't quite get the explanation, but are all of those fee schedules covered somewhere else in statute?"

Mr. Kreidler: "Yes, they are covered elsewhere. It's covered in House Bill 359 which we passed last year. It had the provisions in there that health care professions will be able to set their own rates as to what will be necessary to fund their particular board. It won't be specified in statute, as has previously been the case, so that we were constantly dealing with updates and saying that they needed to raise \$5, \$10, \$15 more for a licensing fee in order to pay for the operation of their board. Now we have an act that allows this to be done as needed in conjunction with the Department of Licensing simply to allow occupational therapists to come under these same provisions."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate bill No. 3074 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zöllinsky, and Mr. Speaker - 92.

Absent: Representatives Ellis, Tanner - 2.

Excused: Representatives Ballard, Fisher, Fiske, Grimm - 4.

Engrossed Substitute Senate Bill No. 3074 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.

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 140, by Committee on Ways & Means (originally sponsored by Senators Wojahn, Talmadge, McDermott, Woody and Fleming)

Establishing the special legislative comparable worth settlement team.

The resolution was read the second time.

Ms. Hine moved adoption of the following amendment:

On page 1, line 2 after "concurring," strike the remainder of the resolution and insert "That a special negotiation team be established to participate in the potential settlement of the comparable worth lawsuit (AFSCME, et al. v. State of Washington, et al.); and

BE IT FURTHER RESOLVED, That the state government settlement team shall direct its legal counsel to pursue settlement of the comparable worth litigation and shall meet and consult with legal counsel throughout the course of the settlement discussions; and

BE IT FURTHER RESOLVED, That the state government settlement team shall be composed of: The Speaker and Minority Leader of the House of Representatives; the Majority Leader and Minority Leader of the Senate; the chair of the Ways and Means Committee of each house; and the chair of the joint select committee on comparable worth; and

BE IT FURTHER RESOLVED, That the legislature requests the Governor or the Governor's designee, the director of the office of financial management, the director of personnel and the director of the higher education personnel board to join the state government settlement team and participate in its activities; and

BE IT FURTHER RESOLVED, That, the state government settlement team shall meet with legal counsel on an attorney-client basis; and

BE IT FURTHER RESOLVED, That the state government settlement team shall report to the legislature on the progress of the settlement discussions from time to time, and report any recommendations, no later than December 1, 1984; and

BE IT FURTHER RESOLVED, That copies of this resolution shall be transmitted to all members of the state government settlement team and the attorney general."

Mr. Barnes moved adoption of the following amendments to the Hine amendment:

On page 1, line 14 strike "its legal counsel" and insert "the attorney general"

On page 1, line 17, and page 2, line 6 strike "legal counsel" and insert "the attorney general"

Representatives Barnes and Hine spoke in favor of the amendments to the amendment, and they were adopted.

Ms. Schmidt moved adoption of the following amendment to the amendment:

On page 1, strike lines 12 through 19 and insert:

"BE IT FURTHER RESOLVED, That the state government settlement team shall consult and confer with the attorney general concerning the advisability of pursuing settlement of the comparable worth litigation and if such settlement negotiations are pursued, shall consult and confer with the attorney general concerning the negotiation strategy and positions taken on behalf of the state of Washington; and"

Representatives Schmidt and Barrett spoke in favor of the amendment to the amendment, and Ms. Hine spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schmidt to the Hine amendment to Substitute Senate Concurrent Resolution No. 140,

and the amendment to the amendment was adopted by the following vote: Yeas, 48; nays, 44; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Ebersole, Fisch, Gallagher, Galloway, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 44.

Absent: Representatives Ellis, Tanner - 2.

Excused: Representatives Ballard, Fisher, Fiske, Grimm - 4.

Mr. Bond moved adoption of the following amendment to the Hine amendment:

On page 2, line 14 after "1984" insert ": PROVIDED, HOWEVER, That no report shall be made if two or more members of the team determine that such report may jeopardize the state's negotiation or legal position in the lawsuit"

Mr. Bond spoke in favor of the amendment, and Ms. Hine spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to the Hine amendment to Substitute Senate Concurrent Resolution No. 140, and the amendment to the amendment was not adopted by the following vote: Yeas, 43; nays, 49; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Fisch, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representatives Ellis, Tanner - 2.

Excused: Representatives Ballard, Fisher, Fiske, Grimm - 4.

MOTION

On motion of Mr. Heck, the House was adjourned until 1:00 p.m., Friday, February 10, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, February 10, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ballard, Bond, Fisher, Fiske, Hastings and Mitchell, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Johnson and Sharon Eves. Prayer was offered by Father Reinhard Beaver, Retired Post Chaplain for Fort Lewis and Madigan Hospital.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

February 9, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1625,
SENATE BILL NO. 4422,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1625.

INTRODUCTIONS AND FIRST READING

ESSB 4329 by Committee on Agriculture (originally sponsored by Senators McDermott, Hansen and Barr)

Providing for the management of the Milwaukee Road corridor.

Referred to Committee on Environmental Affairs

SB 4422 by Senators Fleming, Hansen, McDermott, Peterson, Bauer, Williams, Moore, McManus, Bottiger and Shinpoch

Authorizing bonds for agricultural water supply facilities.

Referred to Committee on Agriculture

The Speaker stated the question before the House to be the point of order raised by Representative Barrett the previous day.

SPEAKER'S RULING

The Speaker: "The Speaker has reviewed the Senate record relating to bills excluded from the cut-off in accordance with HCR 32. While I make no statement about my interpretation of the resolution, I believe the logic used in the Senate was a reasonable interpretation. It was not challenged on the Senate floor. Your point is not well taken, Representative Barrett. Engrossed Senate Bill No. 4678 is referred to Committee on Ways & Means."

REPORTS OF STANDING COMMITTEES

February 9, 1984

RESB 3044 Prime Sponsor, Senator Gaspard: Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, Crane, McMullen, Miller, D. Nelson, Powers, Prince, Silver, Struthers, Sutherland and Vander Stoep.

Absent: Representatives Fiske, R. King, Locke and Tanner.

Rereferred to Committee on Ways & Means.

February 9, 1984

SSB 3194 Prime Sponsor, Committee on Transportation: Authorizes department to destroy vehicle license renewal applications upon entering the information contained on them into the computer system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 11, line 12 after "certificate" insert ", except that a husband or wife or both jointly may make and execute powers of attorney for such conveyance or encumbrance"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Fisch, Gallagher, Garrett, Hankins, McMullen, Mitchell, Powers, C. Smith, Van Luven, Vekich and Zellinsky.

Voting nay: Representatives Barrett, Clayton, Prince, Schmidt, J. Williams and Wilson.

Absent: Representatives Fisher, Hankins and Patrick.

Passed to Committee on Rules for second reading.

February 9, 1984

SB 4460 Prime Sponsor, Senator Peterson: Confirming the authority of the department of transportation to sell and lease back state ferries for federal tax purposes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams, Wilson and Zellinsky.

Voting nay: Representative Sutherland.

Absent: Representatives Fisher, Gallagher, Hankins, Locke, Patrick, Prince, Vekich and Wilson.

Passed to Committee on Rules for second reading.

February 9, 1984

SSB 4503 Prime Sponsor, Committee on Agriculture: Providing for a bonded wine warehouse license. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Egger, Galloway, Holland, Moon, Nealey, Prince, C. Smith and Todd.

Absent: Representatives Ellis, Vice Chair; Ballard, Dickie and Ebersole.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 1118, by Representatives Heck, B. Williams, Kreidler, Johnson, Sutherland, Tanner, Dellwo, Ebersole, Galloway, J. King, McClure, Silver, Taylor, Tilly, West, Stratton, Egger, P. King, Barrett, Ballard, Braddock, Holland, Clayton, Cantu, L. Smith and Struthers

Authorizing pollution control tax credits for certain approved pollution control facilities.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 1118 was substituted for House Bill No. 1118 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1118 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heck and Patrick spoke in favor of passage of the bill, and Representative Moon spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1118, and the bill passed the House by the following vote: Yeas, 71; nays, 16; absent, 5; excused, 6.

Voting yea: Representatives Addison, Barnes, Barrett, Betzoff, Braddock, Broback, Cantu, Chandler, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, Lewis, Long, McClure, McMullen, Miller, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Brough, Burns, Chamley, Fisch, Garrett, Lux, Moon, Nelson D, Niemi, Rust, Sommers - 16.

Absent: Representatives Clayton, Jacobsen, King R, Kreidler, Locke - 5.

Excused: Representatives Ballard, Bond, Fisher, Fiske, Hastings, Mitchell - 6.

Substitute House Bill No. 1118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1309, by Representatives Egger, P. King, Zellinsky, Stratton, Sanders and West

Providing for a migratory waterfowl stamp.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No. 1309 was substituted for House Bill No. 1309 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1309 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Egger spoke in favor of passage of the bill.

Representative Fiske appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 82; nays, 9; absent, 2; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Garrett, McMullen, Miller, Monohon, Moon, Sutherland, Tanner, Walk, Williams J - 9.

Absent: Representatives Clayton, King R - 2.

Excused: Representatives Ballard, Bond, Fisher, Hastings, Mitchell - 5.

Substitute House Bill No. 1309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Bond and Mitchell appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

I wish the record to show that I voted 'Yes' on Substitute House Bill No. 1118 and Substitute House Bill No. 1309.

RICHARD M. "DICK" BOND, 6th District.

The Speaker called on Mr. Charnley to preside.

HOUSE BILL NO. 1362, by Representatives Stratton, B. Williams, Egger, Mitchell, Halsan, Dellwo, Barrett and Silver

Revising recreational food fish and shellfish licenses.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No. 1362 was substituted for House Bill No. 1362 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1362 was read the second time.

Mr. McMullen moved adoption of the following amendments:

On page 1, line 23 strike "and shellfish, other than razor clams,"

26 On page 1, beginning on line 24 after "waters." strike all material through "state." on line

On page 2, beginning on line 4 after "fish" strike "and shellfish"

On page 4, line 23 strike "or shellfish"

On page 4, line 32 after "possess" strike "~~(razor clams)~~ shellfish" and insert "razor clams"

Mr. McMullen spoke in favor of the amendments, and Ms. Stratton spoke against them.

POINT OF INQUIRY

Ms. Stratton yielded to question by Mr. Addison.

Mr. Addison: "Representative Stratton, I miss being on the Natural Resources Committee, and I am just wondering--for instance, in my district we have some beaches and there are some butter clams down there, and that sort of thing--if this license is put into effect how are we going to be impacted positively? What is the state going to do for our beaches?"

Ms. Stratton: "There will be an amendment following this that is going to attempt to dedicate the funds. If you really want to talk about it, anything we put into the general fund is going to go eventually into fisheries when they come to us with a budget. At the present time, revenue into the Department of Fisheries constitutes twenty-one percent of the total budget. You and I and the taxpayers all across this state are subsidizing the balance of that budget. I believe that it's quite clear that when they come to us with a budget, if the money is there it will go into it."

Representatives Addison, Vander Stoep, Zellinsky, Halsan and Isaacson spoke in favor of the amendments, and Representatives Haugen, Silver, Dellwo, West, Braddock, Egger, D. Nelson and Lux spoke against them.

Ms. Stratton again opposed the amendments, and Mr. McMullen spoke again in favor of them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative McMullen to Substitute House Bill No. 1362, and the amendments were not adopted by the following vote: Yeas, 47; nays, 48; excused, 3.

Voting yea: Representatives Addison, Armstrong, Barnes, Betzoff, Clayton, Dickie, Ebersole, Fisch, Fiske, Grimm, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Kaiser, King J, King P, King R, Lewis, Long, McMullen, Moon, Nelson G, Niemi, Patrick, Powers, Prince, Rust, Sanders, Schmidt, Schoon, Scott, Smith C, Smitherman, Sutherland, Tanner, Todd, Van Dyken, Van Luvan, Vander Stoep, Walk, Wang, Williams J, Wilson, Zellinsky - 47.

Voting nay: Representatives Allen, Appelwick, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Egger, Ellis, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Jacobsen, Johnson, Kreidler, Locke, Lux, McClure, Miller, Mitchell, Monohon, Nealey, Nelson D, O'Brien, Padden, Pruitt, Sayan, Silver, Smith L, Sommers, Stratton, Struthers, Taylor, Tilly, Vekich, West, Williams B, and Mr. Speaker - 48.

Excused: Representatives Ballard, Fisher, Hastings - 3.

Mr. Isaacson moved adoption of the following amendment:
On page 1, line 26 after "state" insert "or freshwaters within the state"

Mr. Isaacson spoke in favor of the amendment, and Ms. Stratton spoke against it.

POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. J. Williams.

Mr. J. Williams: "Representative Isaacson, would you tell me what you mean by 'freshwaters' and would you describe freshwater as between high and low tides where rivers enter the Sound?"

Mr. Isaacson: "Again, the salinity of the water determines whether it's freshwater or saltwater. As an example, if you were in the Columbia River Estuary, you certainly could tell where the saltwater had inserted into that estuary in that it would be saline. If you were in the Chehalis River in Grays Harbor, you would know again by the salinity whether you were in freshwater or saltwater, and also by the species present. The saltwater species do not grow in freshwater and conversely the freshwater species do not necessarily grow in saltwater. It's identifying the difference between those two environments by the nature and quality of that water."

Mr. J. Williams spoke against adoption of the amendment.

The amendment was not adopted.

Ms. Haugen moved adoption of the following amendment:

On page 1, beginning on line 24 after "waters." strike all material through "state." on line 26.

Representatives Haugen and Wilson spoke in favor of the amendment, and Representative Stratton spoke against it.

The amendment was not adopted.

Mr. Kaiser moved adoption of the following amendment:

On page 1, line 28 after "and" strike "nine dollars for nonresidents" and insert "twenty-five dollars for nonresidents"

Mr. Kaiser spoke in favor of the amendment, and Ms. Stratton opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kaiser to Substitute House Bill No. 1362, and the amendment was adopted by the following vote: Yeas, 52; nays, 43; excused, 3.

Voting yea: Representatives Armstrong, Belcher, Braddock, Burns, Cantu, Chandler, Charnley, Clayton, Dickie, Egger, Ellis, Fisch, Fiske, Galloway, Grimm, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Long, Lux, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, Patrick, Powers, Pruitt, Sayan, Scott, Smith C, Smitherman, Sutherland, Tanner, Tilly, Todd, Van Luven, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Appelwick, Barnes, Barrett, Betzoff, Bond, Brekke, Broback, Brough, Crane, Dellwo, Ebersole, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Haugen, Johnson, King P, Lewis, McClure, Miller, Nealey, O'Brien, Padden, Prince, Rust, Sanders, Schmidt, Schoon, Silver, Smith L, Sommers, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J - 43.

Excused: Representatives Ballard, Fisher, Hastings - 3.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders and Zellinsky:

On page 4, after line 29 insert:

"NEW SECTION, Sec. 7. There is added to chapter 75.25 RCW a new section to read as follows:

There shall be created a food fish and shellfish account of the state general fund. License fees collected under the provisions of this act shall be transmitted to the state treasurer and shall be credited to the food fish and shellfish account of the general fund. Money in the food fish and shellfish account shall be used to enhance the food fish and shellfish recreational industry in the state of Washington."

Renumber the remaining sections consecutively.

Representatives Sanders, Addison and Haugen spoke in favor of the amendment, and Representatives Garrett, R. King, Sommers and Stratton spoke against it.

Mr. Sanders spoke again in favor of the amendment.

Mr. Heck demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Sanders and Zellinsky to Substitute House Bill No. 1362, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; excused, 3.

Voting yea: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dickie, Fuhrman, Halsan, Hankins, Haugen, Isaacson, Jacobsen, King R, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Powers, Prince, Sanders, Schmidt, Schoon, Scott, Smith C, Smith L, Smitherman, Sutherland, Tanner, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson, Zellinsky - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Garrett, Grimm, Heck, Hine, Holland, Johnson, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Patrick, Pruitt, Rust, Sayan, Silver, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Vekich, Waik, Wang, Williams B, and Mr. Speaker - 52.

Excused: Representatives Ballard, Fisher, Hastings - 3.

MOTIONS

On motion of Mr. Heck, the House advanced to the eleventh order of business.

On motion of Mr. Heck, ENGROSSED SUBSTITUTE SENATE BILL NO. 4303 and SENATE BILL NO. 4651 were rereferred from Committee on Social & Health Services to Committee on Judiciary.

On motion of Mr. Heck, SENATE BILL NO. 4342 was rereferred from Committee on Commerce & Economic Development to Committee on Labor.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Monday, February 13, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTY-SIXTH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, February 13, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brough, Fisher and P. King. Representatives Brough and Fisher were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Charles Clayton and Chris Cressio. Prayer was offered by The Reverend Raymond Banks of the Free Methodist Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Heck, the House advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 143, by Senators Hansen, Barr, Goltz, Benitz and Gaspard

Recognizing Future Farmers of America Week.

The resolution was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Kaiser, Tilly and Moon spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 143, and the resolution was adopted by the House by the following vote: Yeas, 91; nays, 0; absent, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Loven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Brekke, Cantu, King P, Locke, Nelson G - 5.

Excused: Representatives Brough, Fisher - 2.

Senate Concurrent Resolution No. 143, having received the constitutional majority, was declared adopted.

SUBSTITUTE HOUSE BILL NO. 1362, by Committee on Natural Resources (originally sponsored by Representatives Stratton, B. Williams, Egger, Mitchell, Halsan, Dellwo, Barrett and Silver)

Revising recreational food fish and shellfish licenses.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 33rd Day, February 10, 1984.)

Mr. Halsan moved adoption of the following amendment:

On page 5, after line 7 insert a new section to read as follows:

NEW SECTION, Sec. 9. There is added to chapter 75.25 RCW a new section to read as follows:

The following persons may obtain the stamps or punchcards required by this chapter free of charge:

(1) A resident seventy years of age or older;

(2) A person sixty-five years of age or older who is an honorably discharged veteran of the United States armed forces who has been a resident of the state for five years;

(3) A blind person."

Renumber the remaining sections consecutively.

Mr. Sanders moved adoption of the following amendment to the Halsan amendment:

On page 1, after line 15 insert a new subsection as follows:

"(4) A person so permanently severely disabled that the person requires the use of a wheelchair for mobility."

On page 1, line 15 after "person" strike the period and insert a semicolon.

Representatives Sanders and Stratton spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be adoption of the amendment by Representative Halsan as amended.

Representatives Halsan and Sanders spoke in favor of the amendment as amended, and it was adopted.

Mr. Wilson moved adoption of the following amendment:

On page 5, after line 7 insert a new section to read as follows:

"NEW SECTION, Sec. 9. There is added to chapter 75.08 RCW a new section to read as follows:

The director shall prohibit by rule the taking of clams in Port Susan Bay by means of a hydraulic clam harvester."

Renumber the remaining sections consecutively.

Representatives Haugen and Stratton spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendment by Representatives Sanders, Zellinsky and Haugen:

On page 5, after line 7 insert:

"NEW SECTION, Sec. 9. There is added to chapter 75.25 RCW a new section to read as follows:

The following persons may obtain the stamps or punchcards required by this chapter free of charge:

(1) A blind person; and

(2) A physically handicapped person confined to a wheelchair."

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Sanders withdrew the amendment.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders and Zellinsky:

On page 5, after line 12 insert:

"NEW SECTION, Sec. 11. 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."

Representatives Sanders, Zellinsky and Addison spoke in favor of the amendment, and Representatives Stratton and Taylor spoke against it.

Mr. Sanders spoke again in favor of the amendment, and Ms. Stratton again opposed it.

Mr. Wilson spoke in favor of the amendment.

The amendment was not adopted.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Sanders:

On page 4, after line 29 insert:

"NEW SECTION, Sec. 7. There is added to chapter 75.24 RCW a new section to read as follows:

The department of fisheries shall establish a shellfish enhancement program to work on projects enhancing the shellfish industry."

Renumber the remaining sections consecutively.

Representatives Isaacson and Stratton spoke in favor of the amendment, and it was adopted.

On motion of Ms. Stratton, the following amendment to the title by Representative Halsan was adopted:

On page 1, line 14 of the title after "adding" strike "a new section" and insert "new sections"

On motion of Mr. Wilson, the following amendment to the title was adopted:

On page 1, line 15 of the title after "RCW:" insert "adding a new section to chapter 75.08 RCW:"

On motion of Mr. Isaacson, the following amendment to the title was adopted:

On page 1, line 11 after "RCW 75.25.140:" insert "adding a new section to chapter 75.24 RCW:"

Substitute House Bill No. 1362 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 40, by Representatives Sutherland, L. Smith, Tanner, Galloway, J. King, Heck, Monohon, McMullen, B. Williams, Locke and Dellwo

Directing the Attorney General to initiate legal action for relief from Oregon's income tax laws.

The resolution was read the second time.

On motion of Mr. Sutherland, the following amendment by Representatives Sutherland, L. Smith, Heck, Galloway, Tanner, B. Williams and J. King was adopted:

On page 1, line 24 after "Washington" strike everything down to and including "necessary" on line 27 and insert "is hereby authorized and empowered to commence appropriate legal action on behalf of the state of Washington and/or the taxpayers thereof to challenge the income tax imposed by the state of Oregon on residents of the state of Washington and"

The resolution was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Sutherland, L. Smith and Lux spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 40, and the resolution was adopted by the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative King P - 1.

Excused: Representatives Brough, Fisher - 2.

Engrossed House Concurrent Resolution No. 40, having received the constitutional majority, was declared adopted.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 147, by Senators Bauer, Zimmerman, Thompson, McDermott, Fuller, Conner, Goltz, Bottiger, Hughes, Shipoch, Bender and Vogndl

Urging the repeal of the 1983 Oregon income tax changes.

The resolution was read the second time.

On motion of Mr. Sutherland, the following amendments by Representatives Sutherland, L. Smith, Heck, Galloway, Tanner, B. Williams and J. King were adopted:

On page 1, line 11 after " and " strike everything down to and including "and" on line 15

On page 2, beginning on line 1 strike everything down to and including "; and" on line 4.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Sutherland and Struthers spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 147 as amended by the House, and the resolution was adopted by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative King P - 1.

Excused: Representatives Brough, Fisher - 2.

Engrossed Senate Concurrent Resolution No. 147 as amended by the House, having received the constitutional majority was declared adopted.

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 140, by Committee on Ways & Means (originally sponsored by Senators Wojahn, Talmadge, McDermott, Woody and Fleming)

Establishing the special legislative comparable worth settlement team.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 32nd Day, February 9, 1984.)

The Speaker stated the question before the House to be the amendment by Representative Hine as amended.

Mr. Padden moved adoption of the following amendment to the amendment:

On page 2, following line 14 insert:

"BE IT FURTHER RESOLVED, That the state government settlement team shall not at any time prior to the announcement of a full settlement of this case, discuss with or divulge to any person the details involved in negotiations; and"

Representatives Padden and Silver spoke in favor of the amendment, and Ms. Hine spoke against it.

Mr. Padden spoke again in favor of the amendment to the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to the Hine amendment to Substitute Senate Concurrent Resolution No. 140, and the amendment was not adopted by the following vote: Yeas, 45; nays, 50; absent, 1; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Absent: Representative King P - 1.

Excused: Representatives Brough, Fisher - 2.

Ms. Hine spoke in favor of the amendment as amended, and it was adopted.

Substitute Senate Concurrent Resolution No. 140 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3616, by Committee on Parks & Ecology (originally sponsored by Senators Hughes, Hansen, Quigg, Rasmussen, Fuller, Peterson and Guess)

Modifying provisions governing air pollution emissions.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority do pass as amended. (For committee amendments, see Journal, 32nd Day, February 9, 1984.)

On motion of Ms. Rust, the committee amendments were adopted.

The Clerk read the following amendment by Representatives Long and Rust:

On page 2, after line 7, insert the following:

"NEW SECTION. Sec. 4. There is added to chapter 70.120 RCW a new section to read as follows:

(1) The department shall administer an annual emission inspection under this chapter without charge to all motor vehicles based or operated primarily in an emission contributing area which are owned, rented, or leased by the state of Washington or any political subdivision thereof, except vehicles listed in RCW 46.16.015(2) or exempted by the director under RCW 70.120.120.

(2) The department shall provide notice of the required inspection ninety days before the inspection date established by the department."

POINT OF ORDER

Mr. Wang: "Mr. Speaker, I raise the question of scope and object on this amendment."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Engrossed Substitute Senate Bill No. 3616 and House Floor Amendment No. 1745. While the title of Engrossed Substitute Senate Bill No. 3616 is broad, the object of the bill is the emission credit banking program. However, the amendment attempts to add a new subject dealing with the annual testing of state motor vehicles. Thus it is beyond the scope and object of Engrossed Substitute Senate Bill No. 3616. Your point is well taken."

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3616 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 3; absent, 1; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Allen, Moon, Nelson D - 3.

Absent: Representative King P - 1.

Excused: Representatives Brough, Fisher - 2.

Engrossed Substitute Senate bill No. 3616 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.

SUBSTITUTE SENATE BILL NO. 4287, by Committee on Transportation (originally sponsored by Senators Barr, Thompson, Zimmerman and Peterson)

Permitting seventh-class counties to have a part-time road engineer.

The bill was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Egger spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4287, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative King P - 1.

Excused: Representatives Brough, Fisher - 2.

Substitute Senate Bill No. 4287, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4289, by Senators Granlund, Thompson and Vognild

Clarifying provisions on two-way left turn lanes.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4289, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Mitchell - 2.

Absent: Representative King P - 1.

Excused: Representatives Brough, Fisher - 2.

Engrossed Senate Bill No. 4289, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4304, by Senator Talmadge

Modifying the laws governing the redistricting commission.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4304, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.
 Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative King P - 1.

Excused: Representatives Brough, Fisher - 2.

Senate Bill No. 4304, having received the 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 Mr. Heck, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

ESSB 4402 by Committee on Education (originally sponsored by Senators McDermott, Goltz, Williams, Woody, Shinpoch, Gaspard and Fleming)

Authorizing teacher excellence programs.

Mr. Heck moved that Engrossed Substitute Senate Bill No. 4402 be referred to Committee on Ways & Means.

Mr. Taylor moved that the Heck motion be amended and Engrossed Substitute Senate Bill No. 4402 be referred to Committee on Education.

Mr. Taylor spoke in favor of the motion and Mr. Heck spoke against it.

Mr. Taylor spoke again in favor of the motion, and Mr. Heck again opposed it.

Mr. Dickie spoke in favor of the motion by Representative Taylor.

Mr. Barrett demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion by Representative Taylor to amend the Heck motion and refer Engrossed Substitute Senate Bill No. 4402 to Committee on Education, and the motion was lost by the following vote: Yeas, 47; nays, 48; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 47.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 48.

Absent: Representative King P - 1.
Excused: Representatives Brough, Fisher - 2.

The Speaker stated the question before the House to be the motion by Mr. Heck to refer Engrossed Substitute Senate bill No. 4402 to Committee on Ways & Means.

ROLL CALL

The Clerk called the roll on the motion to refer Engrossed Substitute Senate Bill No. 4402 to Committee on Ways & Means, and the motion was carried by the following vote: Yeas, 49; nays, 46; absent, 1; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 49.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Absent: Representative King P - 1.
Excused: Representatives Brough, Fisher - 2.

MESSAGES FROM THE SENATE

February 9, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1625,

and the same is herewith transmitted.

Sidney R. Snyder Secretary.

February 13, 1984

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1103,
SUBSTITUTE HOUSE BILL NO. 1146,
HOUSE BILL NO. 1254,
HOUSE BILL NO. 1423,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

February 10, 1984

SSB 3103

Prime Sponsor, Committee on Local Government: Providing for surprise audits of county treasuries. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 4, after line 2, insert the following:

*Sec. 3. Section 36.18.110, chapter 4, Laws of 1963 and RCW 36.18.110 are each amended to read as follows:

Every salaried county and precinct officer authorized to receive fees shall on or before the first Monday of each month and at the end of his or her term of office submit to the county auditor a statement and copy of his or her fee book for the month last past, duly verified as provided in RCW 36.18.150(~~PROVIDED, That the county auditor shall submit the statement and copy of his fee book to the county clerk~~).

Sec. 4. Section 36.18.120, chapter 4, Laws of 1963 and RCW 36.18.120 are each amended to read as follows:

The county auditor (~~and county clerk~~) shall check the statements submitted (~~them~~) to the county auditor with the fee book, and the records pertaining thereto, and if they are found to be correct shall return them after having attached thereto (~~their~~) the official certificates.

Sec. 5. Section 1, chapter 65, Laws of 1921 and RCW 4.64.010 are each amended to read as follows:

In any action tried by jury in which a verdict is returned, judgment in conformity with the verdict may be entered by the court at any time after two days from the return of such verdict. Any motion for judgment notwithstanding the verdict, or any motion for a new trial, or any motion attacking the verdict for other causes, shall be served on the adverse party and filed

with the clerk of the court within two days after the return of the verdict, and no judgment shall be entered in the cause until after the disposition of such motion. The judgment shall be in writing, signed by the judge of the court in which the action is pending, and shall be filed with the clerk and recorded in the ~~((journal))~~ execution docket of the court.

Sec. 6. Section 307, page 75, Laws of 1869 as last amended by section 2, chapter 28, Laws of 1983 and RCW 4.64.030 are each amended to read as follows:

All judgments shall be entered by the clerk, subject to the direction of the court, in the ~~((journal))~~ execution docket, and shall specify clearly the amount to be recovered, the relief granted, or other determination of the action. At the end of each judgment which provides for the payment of money, the following shall be succinctly summarized: The judgment creditor and the name of his or her attorney, the judgment debtor, the amount of the judgment, the interest owed to the date of the judgment, and the total of the taxable costs and attorney fees, if known at the time of the entry of the judgment. If the attorney fees and costs are not included in the judgment, they shall be summarized in the cost bill when filed. This information is included in the judgment to assist the county clerk in his or her record-keeping function.

Sec. 7. Section 16, chapter 98, Laws of 1979 and RCW 26.27.160 are each amended to read as follows:

(1) The clerk of each superior court shall maintain a registry in which he or she shall enter ~~((the following:~~

(†)) certified copies of custody decrees of other states received for filing((:)) to which the clerk shall assign an individual cause number.

(2) The clerk shall maintain the following at no charge as miscellaneous filings:

(a) Communications as to the pendency of custody proceedings in other states;

~~((†))~~ (b) Communications concerning a finding of inconvenient forum by a court of another state; and

~~((††))~~ (c) Other communications or documents concerning custody proceedings in another state which may affect the jurisdiction of a court of this state or the disposition to be made by it in a custody proceeding.

Sec. 8. Section 8, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 5, chapter 59, Laws of 1983 and RCW 28A.65.435 are each amended to read as follows:

Copies of the budgets for all local school districts shall be filed with the superintendent of public instruction ~~((and the appropriate county auditor(s)))~~ no later than September 10th. One copy will be retained by the educational service district.

Sec. 9. Section 17, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 59, Laws of 1983 and RCW 28A.65.480 are each amended to read as follows:

(1) Notwithstanding any other provision of this chapter, upon the happening of any emergency in first class school districts caused by fire, flood, explosion, storm, earthquake, epidemic, riot, insurrection, or for the restoration to a condition of usefulness of any school district property, the usefulness of which has been destroyed by accident, and no provision has been made for such expenditures in the adopted appropriation, the board of directors, upon the adoption by the vote of the majority of all board members of a resolution stating the facts constituting the emergency, may make an appropriation therefor without notice or hearing.

(2) Notwithstanding any other provision of this chapter, if in first class districts it becomes necessary to increase the amount of the appropriation, and if the reason is not one of the emergencies specifically enumerated in subsection (1) of this section, the school district board of directors, before incurring expenditures in excess of the appropriation, shall adopt a resolution stating the facts and the estimated amount of appropriation to meet it.

Such resolution shall be voted on at a public meeting, notice to be given in the manner provided in RCW 28A.65.420. Its introduction and passage shall require the vote of a majority of all members of the school district board of directors.

Any person may appear at the meeting at which the appropriation resolution is to be voted on and be heard for or against the adoption thereof.

Copies of all adopted appropriation resolutions shall be filed with the educational service district who shall forward one copy each to the office of the superintendent of public instruction ~~((and the appropriate county auditor)).~~ One copy shall be retained by the educational service district.

Sec. 10. Section 18, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 12, chapter 59, Laws of 1983 and RCW 28A.65.485 are each amended to read as follows:

Notwithstanding any other provision of this chapter, if a second class school district needs to increase the amount of the appropriation from any fund for any reason, the school district board of directors, before incurring expenditures in excess of appropriation, shall adopt a resolution stating the facts and estimating the amount of additional appropriation needed.

Such resolution shall be voted on at a public meeting, notice to be given in the manner provided by RCW 28A.65.420. Its introduction and passage shall require the vote of a majority of all members of the school district board of directors.

Any person may appear at the meeting at which the appropriation resolution is to be voted on and be heard for or against the adoption thereof.

Upon passage of the appropriation resolution the school district shall petition the superintendent of public instruction for approval to increase the amount of its appropriations in the manner prescribed in rules and regulations for such approval by the superintendent.

Copies of all appropriation resolutions approved by the superintendent of public instruction shall be filed by the office of the superintendent of public instruction with the educational service district (~~and the appropriate county auditor(s)~~).

NEW SECTION. Sec. 11. There is added to chapter 42.24 RCW a new section to read as follows:

In order to expedite the payment of claims, the legislative body of any taxing district, as defined in RCW 43.09.260, may authorize the issuance of warrants or checks in payment of claims after the provisions of this chapter have been met and after the officer designated by statute, or, in the absence of statute, an appropriate charter provision, ordinance, or resolution of the taxing district, has signed the checks or warrants, but before the legislative body has acted to approve the claims. The legislative body may stipulate that certain kinds or amounts of claims shall not be paid before the board has reviewed the supporting documentation and approved the issue of checks or warrants in payment of those claims. However, all of the following conditions shall be met before the payment:

(1) The auditing officer and the officer designated to sign the checks or warrants shall each be required to furnish an official bond for the faithful discharge of his or her duties in an amount determined by the legislative body but not less than fifty thousand dollars;

(2) The legislative body shall adopt contracting, hiring, purchasing, and disbursing policies that implement effective internal control;

(3) The legislative body shall provide for its review of the documentation supporting claims paid and for its approval of all checks or warrants issued in payment of claims at its next regularly scheduled public meeting; and

(4) The legislative body shall require that if, upon review, it disapproves some claims, the auditing officer and the officer designated to sign the checks or warrants shall jointly cause the disapproved claims to be recognized as receivables of the taxing district and to pursue collection diligently until the amounts disapproved are collected or until the legislative body is satisfied and approves the claims.

NEW SECTION. Sec. 12. Section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090 are each repealed."

On page 1, line 2 of the title, after "36.32.180;" strike "and"

On page 1, on line 3 of the title, after "36.22.010" insert "; amending section 36.18.110, chapter 4, Laws of 1963 and RCW 36.18.110; amending section 36.18.120, chapter 4, Laws of 1963 and RCW 36.18.120; amending section 1, chapter 65, Laws of 1921 and RCW 4.64.010; amending section 307, page 75, Laws of 1869 as last amended by section 2, chapter 28, Laws of 1983 and RCW 4.64.030; amending section 16, chapter 98, Laws of 1979 and RCW 26.27.160; amending section 8, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 5, chapter 59, Laws of 1983 and RCW 28A.65.435; amending section 17, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 59, Laws of 1983 and RCW 28A.65.480; amending section 18, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 12, chapter 59, Laws of 1983 and RCW 28A.65.485; adding a new section to chapter 42.24 RCW; and repealing section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Broback, Chandler, Charnley, Egger, Garrett, Hine, Isaacson, Todd, Van Dyken and Van Luven.

Absent: Representatives Ballard, Grimm, Smitherman and Todd.

Passed to Committee on Rules for second reading.

February 13, 1984

ESB 3132 Prime Sponsor, Senator Talmadge: Providing for damages and attorney fees when mortgagees fail to release mortgage upon satisfaction. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Lewis, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Voting nay: Representative Addison.

Absent: Representatives McMullen, Vice Chair; P. King, Locke, G. Nelson, L. Smith and Wang.

Passed to Committee on Rules for second reading.

February 13, 1984

ESSB 3429 Prime Sponsor, Committee on Judiciary: Establishing a state advisory commission on criminal justice. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Lewis, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives McMullen, Vice Chair; P. King, Locke, G. Nelson, L. Smith and Wang.

Passed to Committee on Rules for second reading.

February 13, 1984

SB 4301 Prime Sponsor, Senator Thompson: Limiting the notice requirement for disposal of surplus property by sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Broback, Charnley, Egger, Garrett, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Ballard, Brough, Chandler, Ebersole and Grimm.

Passed to Committee on Rules for second reading.

February 13, 1984

SSB 4334 Prime Sponsor, Committee on Local Government: Authorizing cities and counties to purchase liability and industrial insurance for offenders performing community service. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Broback, Charnley, Garrett, Hine, Isaacson, Smitherman, Todd, Van Dyken and Van Luven.

Absent: Representatives Ballard, Brough, Chandler, Ebersole and Grimm.

Passed to Committee on Rules for second reading.

February 13, 1984

SB 4341 Prime Sponsor, Senator Thompson: Permitting special district employee group insurance for groups of less than ten employees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Broback, Charnley, Hine, Isaacson, Smitherman, Todd and Van Luven.

Absent: Representatives Ballard, Brough, Chandler, Ebersole and Grimm.

Passed to Committee on Rules for second reading.

February 13, 1984

2nd SSB 4380 Prime Sponsor, Committee on Ways & Means: Adopting the criminal justice information act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives McMullen, Vice Chair; P. King, Lewis, Locke and Tilly.

Passed to Committee on Rules for second reading.

February 10, 1984

ESSB 4404 Prime Sponsor, Committee on Ways & Means: Providing loans for certain public works. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan,

Holland, Kaiser, Niemi, Powers, Schoon, Silver, L. Smith, Smitherman, Stratton, Walk and B. Williams.

Absent: Representatives Barrett, Haugen, Padden, Schmidt, Tilly, Van Dyken and Wilson.

Referred to Committee on Ways & Means.

February 10, 1984

SB 4642 Prime Sponsor, Senator Moore: Modifying provisions relating to mutual insurers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Sanders, Vekich, Wang and West.

Absent: Representatives Ballard and Monohon.

Passed to Committee on Rules for second reading.

February 9, 1984

ESSB 4647 Prime Sponsor, Committee on Social & Health Services: Revising the state advisory committee to the department of social and health services. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 189, Laws of 1971 ex. sess. as last amended by section 6, chapter 151, Laws of 1981 and RCW 43.20A.360 are each amended to read as follows:

(1) The secretary is hereby authorized to appoint such advisory committees or councils as may be required by any federal legislation as a condition to the receipt of federal funds by the department. The secretary may appoint state-wide committees or councils in the following subject areas: ~~((+))~~ (a) Health facilities; ~~((2))~~ (b) radiation control; ~~((3))~~ (c) children and youth services; ~~((4))~~ (d) blind services; ~~((5))~~ (e) medical and health care; ~~((6))~~ (f) drug abuse and alcoholism; ~~((7))~~ (g) social services; ~~((8))~~ (h) economic services; ~~((9))~~ (i) vocational services; ~~((+))~~ (j) rehabilitative services; ~~((+))~~ (k) public health services; and on such other subject matters as are or come within the department's responsibilities. The secretary shall appoint committees or councils advisory to the department in each service delivery region to be designated by the secretary. The state-wide and the regional councils shall have representation from both major political parties and shall have substantial consumer representation. Such committees or councils shall be constituted as required by federal law or as the secretary in his or her discretion may determine. The members of the committees or councils shall hold office ~~(as follows: one-third to serve one year; one-third to serve two years; and one-third to serve three years. Upon expiration of said original terms, subsequent appointments shall be)~~ for three years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. No member shall serve more than two consecutive terms.

(2) The department shall limit, eliminate, or consolidate advisory committees to a maximum of one per division or bureau. If exceptional circumstances require more than one advisory committee per division or bureau, the department shall document the exceptional circumstances to the appropriate committees of the senate and house of representatives.

(3) Members of such state advisory committees or councils may be paid their travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. Members of regional advisory committees may, in the discretion of the secretary, be paid the same travel expenses as set forth above.

(4) The department shall not establish any new advisory committees unless it is demonstrated to the appropriate committees of the senate and house of representatives that: (a) No existing committee, subcommittee, or special time-limited task group made up of existing advisory committee members can perform the necessary advisory task; and (b) the advisory committee is essential to the adequate performance of the department's responsibilities.

Sec. 2. Section 13, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.370 are each amended to read as follows:

There is hereby created a state advisory committee to the department of social and health services which shall serve in an advisory capacity to the secretary of the department of social and health services. The committee shall be composed of not less than nine nor more than fifteen members, to be appointed by the governor, who shall appoint a chairman, who shall serve as such at the governor's pleasure. In selecting members of the committee, the governor shall provide for a reasonable age, sex, and ethnic balance from throughout the state. A broad range of interests, including business owners, professions, labor, local government, and consumers should be considered for membership. A representative from each of the regional

advisory committees established under RCW 43.20A.360 shall serve as a member of the state advisory committee. The members of the committee shall ((hold office as follows: Two members to serve two years; two members to serve three years; and three members to)) serve four years((Upon expiration of said original terms, subsequent appointments shall be for)), except the terms of the regional advisory committee representatives shall be for a duration specified by the secretary not to exceed four years ((except in the case of a vacancy, in which event)) to facilitate their participation. Appointments to fill a vacant unexpired term shall be only for the remainder of the unexpired term for which the vacancy occurs. No member shall serve more than two consecutive terms. A member of the state advisory committee with two unexcused absences in a twelve-month period shall be deemed to have vacated the position held on the state advisory committee.

Sec. 3. Section 14, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.375 are each amended to read as follows:

The state advisory committee shall have the following powers and duties:

(1) To serve in an advisory capacity to the secretary on all matters pertaining to the department of social and health services.

(2) To acquaint themselves fully with the operations of the department and periodically recommend such changes to the secretary as they deem advisable.

(3) ((No person shall be eligible to hold the office of member of the state advisory committee who holds any public office, whether appointive or elective, with the exception of nonsalaried positions:)) To biennially review and make recommendations as to the continued operation of department advisory committees other than those provided for by federal law or specifically created by statute. The review shall include review of the statement of purpose for each advisory committee and the time frames during which the committee is accountable to achieve its stated purposes. The state advisory committee shall conduct the review using the criteria specified in RCW 43.131.070 and other appropriate criteria.

(4) To develop agendas to foster periodic meetings with and communication between representatives of program-specific advisory committees other than those provided for by federal law.

Sec. 4. Section 37, chapter 99, Laws of 1979 and RCW 43.131.221 are each amended to read as follows:

The state advisory committee to the department of social and health services and its powers and duties shall be terminated on June 30, ~~((1983))~~ 1989, as provided in RCW 43.131.222.

Sec. 5. Section 79, chapter 99, Laws of 1979 and RCW 43.131.222 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~((1984))~~ 1990:

(1) Section 13, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.370;

(2) Section 14, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.375; and

(3) Section 15, chapter 189, Laws of 1971 ex. sess., section 99, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.20A.380."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending section 2, chapter 189, Laws of 1971 ex. sess. as last amended by section 6, chapter 151, Laws of 1981 and RCW 43.20A.360; amending section 13, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.370; amending section 14, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.375; amending section 37, chapter 99, Laws of 1979 and RCW 43.131.221; and amending section 79, chapter 99, Laws of 1979 and RCW 43.131.222."

Signed by Representatives Dellwo, Vice Chair; Ballard, Braddock, Broback, J. King, Lewis, Mitchell, Niemi, Padden, Scott, Stratton, West and B. Williams.

Absent: Representative McClure.

Passed to Committee on Rules for second reading.

February 10, 1984

SB 4787 Prime Sponsor, Senator Goltz: Modifying provisions relating to home health care. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Broback, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Sanders, Vekich, Wang and West.

Absent: Representatives Ballard, Hankins and Monohon.

Passed to Committee on Rules for second reading.

POINT OF PERSONAL PRIVILEGE

Mr. B. Williams: "Today we pause briefly to remember Abraham Lincoln, a giant among men who walked tall in our nation's history. He was possessed with the finest attributes and we pray that we may be filled with these attributes of faith, courage, wisdom, justice and compassion.

"Eight score and fifteen years ago a great American president was born. As we pause today to reflect upon Abraham Lincoln's birthday, we remember a man who was born in a Kentucky log cabin. Success came late and death came early to Lincoln.

"Almost from birth Lincoln appeared likely to wind up as an also-ran in life's race. He was poor and he had little formal schooling. He failed in business at the age of twenty-two. He was defeated for the State Legislature at age twenty-three; failed again in business at age twenty-five; had another strike-down at age thirty-two. He failed to receive his party's nomination for Congress at age thirty-four. He ran for the Senate and he lost at age forty-six. He was defeated for the Vice President nomination at age forty-seven; defeated for the Senate again at age forty-nine. A hopeless loser, many people said, yet Abraham Lincoln was elected as President of the United States at age fifty-one. He knew how to accept defeat temporarily.

"Lincoln is remembered not only for his record as President, but also for two immortal speeches which he gave: The Gettysburg Address and his second inaugural address.

"At Gettysburg Lincoln expressed a new moral concept between the victors and the vanquished. He expressed an ideal that was to make it possible to resolve the hate and heal the wounds of a nation torn by one of the most bloody wars of all times. We could certainly use his wisdom in these chambers today.

"As Lincoln stated in his speech--and changed a little for today's setting--"The world will little know or long remember what we say here, but the people of this state will be drastically affected by our actions." We need to dedicate ourselves to the great tasks remaining before us, that from the honored memory of our dead president, we take increased devotion to that cause to which he gave his full measure of devotion, that those ideals expressed at Gettysburg in 1863 today are as useful and vital as they were in 1863. I am firmly convinced that they will continue to have vitality as long as men and women remain determined that government of the people, by the people and for the people will not perish from the earth.

"If a few words are changed in Lincoln's second inaugural address, it would sound as though he were speaking to this session of the legislature. Neither party expected to face economic crisis, to be of this magnitude or duration, which it has already obtained. Each party looked for an earlier triumph and a result less fundamental and Astounding.

"Both parties read the same Bible, pray to the same God and each invoke His aid against the other. It may seem strange that any man could dare to ask a just God's assistance in wringing their rag from the sweat of other men's faces, but let us judge not that we be judged. The prayer of both parties is not the answer. Finally, with malice toward none, with charity to all, we'll turn this into right and God gives us the wisdom to see the right; let us finish the work we are in to bind up the state's wounds, to care for him who shall have borne the battle and to do all we may to achieve and cherish a just and lasting economic recovery for the citizens of the State of Washington."

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1103,

HOUSE BILL NO. 1254,

HOUSE BILL NO. 1423.

MOTION

On motion of Mr. Heck, the House adjourned until 1:30 p.m., Tuesday, February 14, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTY-SEVENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, February 14, 1984

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ballard, Fisher, L. Smith and Stratton, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Ruble and Craig Neel. Prayer was offered by The Reverend Raymond Banks, Minister of the Free Methodist Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 14, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1200,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 14, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1103,

HOUSE BILL NO. 1254,

HOUSE BILL NO. 1423,

SUBSTITUTE SENATE BILL NO. 4287,

SENATE BILL NO. 4289,

SENATE BILL NO. 4304,

SENATE CONCURRENT RESOLUTION NO. 143,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1146,

SUBSTITUTE HOUSE BILL NO. 1200,

SUBSTITUTE SENATE BILL NO. 4287,

SENATE BILL NO. 4289,

SENATE BILL NO. 4304,

SENATE CONCURRENT RESOLUTION NO. 143.

REPORTS OF STANDING COMMITTEES

February 13, 1984

ESB 3128

Prime Sponsor, Senator Talmadge: Modifying conditions under which attorneys fees and costs may be awarded in condemnation proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 10, strike "~~Reasonable attorney fees as authorized in this section shall not exceed the general trial rate, per day~~" and insert "Reasonable attorney fees as authorized in this section shall not exceed the general trial rate, per day ("

On page 2, line 19, after "section:", strike all material down to and including "attendance:" on line 22 and insert "customarily charged for general trial work by the condemnee's attorney for actual trial time and his or her hourly rate for preparation. Reasonable expert witness fees as authorized in this section shall not exceed the customary rates obtaining in the county by the hour for investigation and research and by the day or half day for trial attendance."

On page 2, line 23, strike "(5))" and insert "(5)"

On page 2, after line 25 insert a new section to read as follows:

"Sec. 2. Section 1, chapter 28, Laws of 1943 and RCW 8.28.040 are each amended to read as follows:

Whenever in any eminent domain proceeding, heretofore or hereafter instituted for the taking or damaging of private property, a verdict shall have been returned by the jury, or by the court if the case be tried without a jury, fixing the amount to be paid as compensation for the property so to be taken or damaged, such verdict shall bear interest at the ~~((rate of six percent per annum))~~ maximum rate of interest permitted at that time under RCW 19.52.020 from the date of its entry to the date of payment thereof: PROVIDED, That the running of such interest shall be suspended, and such interest shall not accrue, for any period of time during which the entry of final judgment in such proceeding shall have been delayed solely by the pendency of an appeal taken in such proceeding."

On page 1, line 1 of the title after "proceedings;" strike "and"

On page 1, line 3 of the title after "8.25.070" insert: "and amending section 1, chapter 28, Laws of 1943 and RCW 8.28.040"

Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives McMullen, Vice Chair; P. King, Lewis, Locke and Tilly.

Passed to Committee on Rules for second reading.

February 13, 1984

SSB 3181 Prime Sponsor, Committee on Judiciary: Modifying provisions relating to involuntary treatment. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 20, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 215, Laws of 1979 ex. sess. and RCW 71.05.150 are each amended to read as follows:

(1) (a) When a mental health professional designated by the county receives information alleging that a person, as a result of a mental disorder, presents a likelihood of serious harm to others or himself, or is gravely disabled, such mental health professional, after investigation and evaluation of the specific facts alleged, and of the reliability and credibility of the person or persons, if any, providing information to initiate detention, may ~~((summon such person to appear at an evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period; the summons shall state whether the required seventy-two hour evaluation and treatment services may be delivered on an outpatient or inpatient status. The mental health professional shall also designate, at the time of the summons, from a list provided by the court, an attorney who will be appointed, if any is to be appointed, and state the name, business address, and telephone number of this attorney in the summons)), if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention. Before filing the petition, the county designated mental health professional must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility.~~

(b) ~~((The summons shall state a date and time to appear not less than twenty-four hours after the service of the summons. The summons)) Whenever it appears, by petition for initial detention, to the satisfaction of a judge of the superior court that a person presents, as a result of a mental disorder, a likelihood of serious harm to others or himself, or is gravely disabled, and that the person has refused or failed to accept appropriate evaluation and treatment voluntarily, the judge may issue an order requiring the person to appear not less than twenty-four hours after service of the order at a designated evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period. The order shall state the address of the evaluation and treatment facility to which ((such)) the person is to report and ((the business address and phone number of the mental health professional designated by the county. The summons shall state)) whether the required seventy-two hour evaluation and treatment services may be delivered on an outpatient or inpatient basis and that if the person named in the ((summons)) order fails to appear at the evaluation and treatment facility at or before the date and time stated in the ((summons)) order, such person may be involuntarily taken into custody((- Accompanying the summons to such person shall be a copy of the petition for initial detention and a notice of rights)) for evaluation and treatment. The order shall also designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.~~

(c) ~~((if such mental health professional decides to summon such person for up to a seventy-two hour evaluation and treatment period, the mental health professional must file in court the~~

~~summons, the petition for initial detention, and all documentary evidence.))~~ The mental health professional shall then serve or cause to be served on such person, his guardian, and conservator, if any, a copy of the ~~((summons))~~ order to appear together with a notice of rights and a petition for initial detention. After service on such person the mental health professional shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility and the designated attorney. The mental health professional shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time ~~((specified on the summons if such person is not released prior to the expiration of such period))~~ of outpatient evaluation or admission to the evaluation and treatment facility. The person shall be permitted to remain in his home or other place of his choosing prior to the time of evaluation and shall be permitted to be accompanied by one or more of his relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation and, with the permission of the evaluation and treatment facility, the individual or individuals who accompany him may be present during the admission evaluation.

(d) If the person ~~((summoned))~~ ordered to appear does appear(s) on or before the date and time specified, the evaluation and treatment facility may admit such person as required by RCW 71.05.170 or may provide treatment on an outpatient basis. If the person ~~((summoned))~~ ordered to appear fails to appear on or before the date and time specified, the evaluation and treatment facility shall immediately notify the mental health professional designated by the county who may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility. Should the mental health professional notify a peace officer authorizing him to take a person into custody under the provisions of this subsection, he shall file with the court a copy of such authorization and a notice of detention. At the time such person is taken into custody there shall commence to be served on such person, his guardian, and conservator, if any, a copy of the original ~~((summons))~~ order together with a notice of detention, a notice of rights, and a petition for initial detention.

(2) When a mental health professional designated by the county receives information alleging that a person, as the result of a mental disorder, presents an imminent likelihood of serious harm to himself or others, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the mental health professional may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility for not more than seventy-two hours as described in RCW 71.05.180.

(3) A peace officer may take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility pursuant to subsection (1)(d) of this section.

(4) A peace officer may, without prior notice of the proceedings provided for in subsection (1) of this section, take or cause such person to be taken into custody and immediately delivered to an evaluation and treatment facility:

(a) Only pursuant to subsections (1)(d) and (2) of this section; or

(b) When he has reasonable cause to believe that such person is suffering from a mental disorder and presents an imminent likelihood of serious harm to others or himself or is in imminent danger because of being gravely disabled.

(5) Persons delivered to evaluation and treatment facilities by peace officers pursuant to subsection (4)(b) of this section may be held by the facility for a period of up to twelve hours: PROVIDED, That they are examined by a mental health professional within three hours of their arrival. Within twelve hours of their arrival, the designated county mental health professional must file a supplemental petition for detention, and commence service on the designated attorney for the detained person.

NEW SECTION, Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Lewis, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives McMullen, Vice Chair; P. King, Locke, G. Nelson, L. Smith and Wang.

Passed to Committee on Rules for second reading.

February 13, 1984

ESB 3437 Prime Sponsor, Senator Talmadge: Modifying provisions relating to malicious prosecution. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:
Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that a growing number of unfounded lawsuits, claims, and liens are filed against law enforcement officers, prosecuting authorities, and judges, and against their property, having the purpose and effect of deterring those officers in the exercise of their discretion and inhibiting the performance of their public duties.

The legislature also finds that the cost of defending against such unfounded suits, claims and liens is severely burdensome to such officers, and also to the state and the various cities and counties of the state. The purpose of section 2 of this 1984 act is to provide a remedy to those public officers and to the public.

Sec. 2. Section 1, chapter 158, Laws of 1977 ex. sess. and RCW 4.24.350 are each amended to read as follows:

(1) In any action for damages, whether based on tort or contract or otherwise, a claim or counterclaim for damages may be litigated in the principal action for malicious prosecution on the ground that the action was instituted with knowledge that the same was false, and unfounded, malicious and without probable cause in the filing of such action, or that the same was filed as a part of a conspiracy to misuse judicial process by filing an action known to be false and unfounded.

(2) In any action, claim, or counterclaim brought by a judicial officer, prosecuting authority, or law enforcement officer for malicious prosecution arising out of the performance or purported performance of the public duty of such officer, an arrest or seizure of property need not be an element of the claim, nor do special damages need to be proved. A judicial officer, prosecuting authority, or law enforcement officer prevailing in such an action may be allowed an amount up to one thousand dollars as liquidated damages, together with a reasonable attorneys' fee, and other costs of suit. A government entity which has provided legal services to the prevailing judicial officer, prosecuting authority, or law enforcement officer has reimbursement rights to any award for reasonable attorneys' fees and other costs, but shall have no such rights to any liquidated damages allowed.

(3) No action may be brought against an attorney under this section solely because of that attorney's representation of a party in a lawsuit.

(4) As used in this section:

(a) 'Judicial officer' means a justice, judge, magistrate, or other judicial officer of the state or a city, town, or county.

(b) 'Prosecuting authority' means any officer or employee of the state or a city, town, or county who is authorized by law to initiate a criminal or civil proceeding on behalf of the public.

(c) 'Law enforcement officer' means a member of the state patrol, a sheriff or deputy sheriff, or a member of the police force of a city, town, university, or state college, or a 'wildlife agent' or 'ex officio wildlife agent' as defined in RCW 77.08.010.

NEW SECTION. Sec. 3. The provisions of section 2 of this 1984 act are remedial and shall be liberally construed.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives McMullen, Vice Chair; P. King, Lewis, Locke and Tilly.

Passed to Committee on Rules for second reading.

February 13, 1984

SSB 4111 Prime Sponsor, Committee on Judiciary: Changing provisions relating to sales under execution and redemption. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 35, Laws of 1935 as amended by section 1, chapter 329, Laws of 1981 and RCW 6.24.010 are each amended to read as follows:

Before the sale of property under execution, order of sale or decree, notice thereof shall be given as follows:

(1) In case of personal property, the sheriff shall post typed or printed notice of the time and place of sale in three public places in the county where the sale is to take place, for a period of not less than thirty days prior to the day of sale. Not less than thirty days prior to the day of sale, the judgment creditor shall cause a copy of the notice of sale to be transmitted by regular and certified mail, return receipt requested, to the judgment debtor at the debtor's last known address, and by mail to the attorney of record for the judgment debtor.

(2) In case of real property, the sheriff shall post a notice as provided in RCW 6.24.015, particularly describing the property for a period of not less than four weeks prior to the day of sale in ~~((three))~~ two public places in the county, one of which shall be at the court house door, where the property is to be sold, and in case of improved real estate, one of which shall be at the front door of the principal building constituting such improvement. The sheriff shall also publish a ~~((copy))~~ notice thereof once a week, consecutively, for the same period, in any daily or weekly legal newspaper of general circulation published in the county in which the real property to be sold is situated in substantially the following form:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR COUNTY

<u>Plaintiff,</u>)	
)	<u>CAUSE NO.</u>
<u>vs.</u>)	
)	<u>SHERIFF'S PUBLIC NOTICE OF</u>
<u>Defendant.</u>)	<u>SALE OF REAL PROPERTY</u>
)	

TO: (Judgment Debtor)
The Superior Court of County has directed the undersigned Sheriff of County to sell the property described below to satisfy a judgment in the above-entitled action. If developed the property address is:

The sale of the above described property is to take place:

Time:
Date:
Place:

The judgment debtor can avoid the sale by paying the judgment amount of \$ together with interest, costs, and fees before the sale date. For the exact amount, contact the sheriff at the address stated below:

..... SHERIFF-DIRECTOR, COUNTY, WASHINGTON.

By Deputy
Address
..... (City)
Washington 9
Phone (...)

PROVIDED, HOWEVER, That if there ~~((be))~~ is more than one legal newspaper published in the county, then the plaintiff or moving party in the action, suit or proceeding shall have the exclusive right to designate in which of such qualified newspapers such notice shall be published: PROVIDED, FURTHER, That if there is no legal newspaper published in the county, then such notice shall be published in ~~((the))~~ a legal newspaper published in ~~((this state nearest to the place of sale))~~ a contiguous county. Not less than thirty days prior to the date of sale, the judgment creditor shall cause a copy of the notice as provided in RCW 6.24.015 to be (a) served on the judgment debtor or debtors and each of them in the same manner as a summons in a civil action, ~~((and))~~ or (b) transmitted by both regular and certified mail, return receipt requested, to the judgment debtor or debtors and to each of them separately if there is more than one judgment debtor at the judgment debtor's last known address, and the judgment creditor shall mail a copy of the notice of sale to the attorney of record for the judgment debtor.

(3) The judgment creditor shall file an affidavit with the court that the judgment creditor has complied with the notice requirements of this section.

Sec. 2. Section 2, chapter 329, Laws of 1981 and RCW 6.24.015 are each amended to read as follows:

The notice of sale shall be printed or typed and shall ~~((contain the following information))~~ be in substantially the following form:

~~((1))~~ That the court has directed the sheriff or other officer to sell the property described in the notice to satisfy a judgment:

~~((2))~~ The caption, cause number, and court in which the judgment to be executed upon was entered;

~~((3))~~ A legal description of the property to be sold, including the street address;

~~((4))~~ The scheduled date, time, and place of the sale;

~~((5))~~ An itemized account of the amount required to satisfy the judgment prior to sale, where the debtor can satisfy the judgment to avoid sale, and that failure to pay this amount will result in the sale of the property on the date specified in the notice;

~~((6))~~ A statement that the sheriff has been informed that there is not sufficient personal property to satisfy the judgment; that if the debtor does have sufficient personal property to satisfy the judgment, the debtor should contact the sheriff's office immediately. However, this subsection is not applicable if the sale of real property is pursuant to a judgment of foreclosure of a mortgage; and

(7) Unless redemption rights have been precluded under RCW 61.12.093, the date by which the debtor may redeem the property; that the debtor may redeem the property by paying the amount of the bid at sale, with interest at the rate of eight percent per annum to the time of redemption, together with the amount of any assessment or taxes which may have been paid after purchase, and interest on such amount; that other creditors having a lien against the property by judgment, decree, or mortgage may also have a right to redeem the property and, if they redeem the property, the debtor may be required to pay additional sums in order to redeem; and that if the property to be sold is the permanent residence of the judgment debtor and is occupied by the debtor at the time of sale, the judgment debtor has the right to retain possession during the redemption period, if any, without payment of any rent or occupancy fee. The information contained in this subsection shall be captioned "IMPORTANT NOTICE" and shall be in boldface print or typed in capital letters.))

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR COUNTY

Plaintiff,)

CAUSE NO.)

vs.)

SHERIFF'S NOTICE TO)
JUDGMENT DEBTOR OF)
SALE OF REAL PROPERTY)

Defendant.)

TO: (Judgment Debtor)

The Superior Court of County has directed the undersigned Sheriff of County to sell the property described below to satisfy a judgment in the above-entitled action. The property to be sold is described on the reverse side of this notice. If developed the property address is:

The sale of the above described property is to take place:

Time:

Date:

Place:

The judgment debtor can avoid the sale by paying the judgment amount of \$ together with interest, costs, and fees before the sale date. For the exact amount, contact the sheriff at the address stated below:

This property is subject to: (check one)

- 1. No redemption rights after sale.
- 2. A redemption period of eight months which will expire at 4:30 p.m. on the day of 19..
- 3. A redemption period of one year which will expire at 4:30 p.m. on the day of 19..

The judgment debtor or debtors or any of them may redeem the above described property at any time up to the end of the redemption period by paying the amount bid at the sheriff's sale plus additional costs, taxes, assessments, and fees. If you are interested in redeeming the property contact the undersigned sheriff at the address stated below to determine the exact amount necessary to redeem.

IMPORTANT NOTICE: IF THE JUDGMENT DEBTOR OR DEBTORS DO NOT REDEEM THE PROPERTY BY 4:30 p.m. ON THE DAY OF 19.., THE END OF THE REDEMPTION PERIOD, THE PURCHASER AT THE SHERIFF'S SALE WILL BECOME THE OWNER AND MAY EVICT THE OCCUPANT FROM THE PROPERTY. IF THE PROPERTY TO BE SOLD IS A PERMANENT RESIDENCE AND IS OCCUPIED BY THE JUDGMENT DEBTOR OR DEBTORS AT THE TIME OF SALE, HE, SHE, THEY, OR ANY OF THEM HAVE THE RIGHT TO RETAIN POSSESSION DURING THE REDEMPTION PERIOD, IF ANY, WITHOUT PAYMENT OF ANY RENT OR OCCUPANCY FEE.

..... SHERIFF-DIRECTOR, COUNTY, WASHINGTON.

By Deputy

Address (City)

Washington 9

Phone (...)

If the sale is not pursuant to a judgment of foreclosure of a mortgage, the above notice should also contain a statement that the sheriff has been informed that there is not sufficient personal property to satisfy the judgment and that if the judgment debtor or debtors do have sufficient personal property to satisfy the judgment, the judgment debtor or debtors should contact the sheriff's office immediately.

Sec. 3, Section 6, chapter 53, Laws of 1899 as amended by section 3, chapter 329, Laws of 1981 and RCW 6.24.100 are each amended to read as follows:

Upon the return of any sale of real estate as aforesaid, the clerk shall enter the cause, on which the execution or order of sale issued, by its title, on the motion docket, and mark opposite the same: 'Sale of land for confirmation'; notice of the filing of the return of sale shall be

mailed by the clerk to all parties (appearing) who have entered a written notice of appearance in the action and who have not had an order of default entered against them and proof of such mailing shall be filed in the action; and the following proceedings shall be had:

(1) The judgment creditor or successful purchaser at the sheriff's sale at any time after twenty days have elapsed from the mailing of the notice of the filing of such return shall be entitled, on motion with notice given to all parties (appearing) who have entered a written notice of appearance in the action and who have not had an order of default entered against them, to have an order confirming the sale, unless the judgment debtor, or in case of his death, his representative, shall file with the clerk within twenty days after the mailing of the notice of the filing of such return, his objections thereto.

(2) If such objections be filed the court shall, notwithstanding, allow the order confirming the sale, unless on the hearing of the motion, it shall satisfactorily appear that there were substantial irregularities in the proceedings concerning the sale, to the probable loss or injury of the party objecting. In the latter case, the court shall disallow the motion and direct that the property be resold, in whole or in part, as the case may be as upon an execution received of that date.

(3) Upon the return of the execution, the sheriff shall pay the proceeds of sale to the clerk, who shall then apply the same, or so much thereof as may be necessary, in satisfaction of the judgment including interest as provided in the judgment. If an order of resale be afterwards made, and the property sell for a greater amount to any person other than the former purchaser, the clerk shall first repay to such purchaser the amount of his bid out of the proceeds of the latter sale together with interest as is provided in the judgment.

(4) Upon a resale, the bid of the purchaser at the former sale shall be deemed to be renewed and continue in force, and no bid shall be taken, except for a greater amount. An order confirming a sale shall be a conclusive determination of the regularity of the proceedings concerning such sale as to all persons in any other action, suit or proceeding whatever.

(5) If, after the satisfaction of the judgment, there be any proceeds of the sale remaining, the clerk shall pay such proceeds to the judgment debtor, or his representative, as the case may be, at any time before the order is made upon the motion to confirm the sale: PROVIDED, Such party file with the clerk a waiver of all objections made or to be made to the proceedings concerning the sale; but if the sale be confirmed, such proceeds shall be paid to said party of course; otherwise they shall remain in the custody of the clerk until the sale of the property has been disposed of.

Sec. 4. Section 8, chapter 53, Laws of 1899 as last amended by section 4, chapter 80, Laws of 1965 and RCW 6.24.140 are each amended to read as follows:

Unless redemption rights have been precluded pursuant to RCW 61.12.093 et seq., the judgment debtor or his successor in interest, or any redemptioner, may redeem the property at any time within one year after the sale, on paying the amount of the bid, with interest thereon at the rate (of eight percent per annum) provided in the judgment to the time of redemption, together with the amount of any assessment or taxes which the purchaser or his successor in interest may have paid thereon after purchase, and like interest on such amount together with any sum paid on a prior lien or obligation secured by an interest in the property to the extent the payment was necessary for the protection of the interest of the judgment debtor, the judgment debtor's successor in interest, or a redemptioner which the purchaser or the purchaser's successor in interest may have paid thereon with interest upon every payment made by the purchaser or the purchaser's successor in interest at the rate provided in the judgment from the date of payment thereof to the time of redemption; and if the purchaser be also a creditor having a lien, by judgment, decree or mortgage, prior to that of the redemptioner, other than the judgment under which such purchase was made, the amount of such lien with interest: PROVIDED, HOWEVER, That whenever there is an execution sale of property pursuant to judgment and decree of foreclosure of any mortgage executed after June 30, 1961, which mortgage declares in its terms that the mortgaged property is not used principally for agricultural or farming purposes, and in which complaint the judgment creditor has expressly waived any right to a deficiency judgment, the period of redemption shall be eight months after the said sale.

Sec. 5. Section 6, chapter 329, Laws of 1981 and RCW 6.24.145 are each amended to read as follows:

~~(Every two months during the redemption period provided by RCW 6.24.140, the purchaser or his assignee shall send by certified mail, return receipt requested, and by first class mail to the judgment debtor or his successor in interest a notice advising the judgment debtor that the redemption period is expiring, how many months have expired, and how many months remain. The notice shall also state the amount for which the property may be redeemed and shall advise the judgment debtor that if the property is not redeemed he will face eviction at the end of the redemption period. The notice shall be sent to the judgment debtor at the judgment debtor's last known address and, if different, the property address. The notice shall be sent between the first day and tenth day of the second calendar month after the calendar month of the sale and the equivalent days of each succeeding second calendar~~

month thereafter during the redemption period. The sole effect of noncompliance with this section shall be that the redemption period provided by RCW 6.24.140 shall be extended two months for each missed or noncomplying notice.)) If the property is subject to a homestead as provided in RCW 6.17.045 or 6.17.050, the purchaser or the purchaser's assignee, or the redemptioner or the redemptioner's assignee if the property has been redeemed shall send a notice at least forty but not more than sixty days before the expiration of the redemption period by certified mail, return receipt requested, and by first class mail to the judgment debtor or debtors and to each of them separately, if there is more than one judgment debtor, at their last known address and to 'occupant' at the property address. The notice shall be in substantially the following form:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR _____ COUNTY

Plaintiff,)
vs.) CAUSE NO.
Defendant.) NOTICE OF EXPIRATION
OF REDEMPTION PERIOD

TO: (Judgment Debtor)

THIS IS AN IMPORTANT NOTICE AFFECTING YOUR RIGHT TO RETAIN YOUR PROPERTY.

NOTICE IS HEREBY GIVEN that the period for redemption of the following described real property ('the property') is expiring. The property is situated in the County of _____ State of Washington, to wit:

(legal description)

and commonly known as _____, which was sold by _____ County Sheriff, in _____ County, Washington on the _____ day of _____, 19____, under and by virtue of a writ of execution and order of sale issued by the court in the above-entitled action.

THE REDEMPTION PERIOD FOR THE PROPERTY IS _____ MONTHS. THE REDEMPTION PERIOD COMMENCED ON _____, 19____, AND WILL EXPIRE AT 4:30 p.m. ON _____, 19____.

If you intend to redeem the property described above you must give written notice of your intention to the _____ County Sheriff on or before _____, 19____.

Following is an itemized account of the amount required to redeem the property to date:

Table with 2 columns: Item, Amount. Items include Purchase price paid at sale, Interest from date of sale to date of this notice at _____ percent per annum, Real estate taxes, Assessments, Liens or other costs paid during redemption period.

TOTAL REQUIRED TO REDEEM AS OF THE DATE OF THIS NOTICE

You may redeem the property by 4:30 p.m. on or before the _____ day of _____, 19____, by paying the amount set forth above and such other amounts as may be required by law. Payment must be in the full amount and in cash, certified check, or cashier's check. Because such other amounts as may be required by law to redeem may include presently unknown expenditures required to operate, preserve, protect, or insure the property, or the amount to comply with state or local laws, or the amounts of prior liens, with interest, held by the purchaser or a redemptioner, it will be necessary for you to contact the _____ County Sheriff at the address stated below prior to the time you tender the redemption amount so that you may be informed exactly how much you will have to pay to redeem the property.

SHERIFF-DIRECTOR, _____ COUNTY, WASHINGTON.

By _____, Deputy
Address _____
_____ (City)

Washington 9 _____
Phone (...) _____

IF YOU FAIL TO REDEEM THE PROPERTY BY 4:30 p.m. ON OR BEFORE THE _____ DAY OF _____, 19____, THE DATE UPON WHICH THE REDEMPTION PERIOD WILL EXPIRE, THE PURCHASER OR THE PURCHASER'S ASSIGNEE WILL BE ENTITLED TO POSSESSION OF THE PROPERTY AND MAY BRING AN ACTION TO EVICT YOU FROM POSSESSION OF THE PROPERTY.

DATED THIS _____ DAY OF _____, 19____.

(Purchaser)
By
(Purchaser's attorney)
Attorneys for

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

The undersigned being first duly sworn on oath states: That on this day affiant deposited in the mails of the United States of America a properly stamped and addressed envelope directed to the judgment debtor at the address stated on the face of this document and to 'occupant' at the property address, both by certified mail, return receipt requested, and by first class mail, all of the mailings containing a copy of the document to which this affidavit is attached.

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF 19...

NOTARY PUBLIC in and for the
State of Washington, residing at:

In the event that the redemption period is extended no further notice need be sent.

The party who sends the notice shall file a copy of the notice with an affidavit of mailing with the clerk of the court and deliver or mail a copy to the sheriff. Failure to comply with this section extends the redemption period for six months.

Sec. 6. Section 12, chapter 53, Laws of 1899 and RCW 6.24.180 are each amended to read as follows:

The mode of redeeming shall be as provided in this section. The person seeking to redeem shall give the sheriff at least five days written notice of his intention to apply to the sheriff for that purpose. It shall be the duty of the sheriff to notify the purchaser or redemptioner, as the case may be, or his attorney, of the receipt of such notice, if such person be within such county. At the time and place specified in such notice the person seeking to redeem may do so by paying to the sheriff the sum required. The sheriff shall give the person redeeming a certificate stating therein the sum paid on redemption, from whom redeemed, the date thereof and a description of the property redeemed. A person seeking to redeem shall submit to the sheriff the evidence of his right thereto, as follows:

(1) If he be a lien creditor, a copy of the docket of the judgment or decree under which he claims the right to redeem, certified by the clerk of the court where such judgment or decree is docketed; or if he seeks to redeem upon mortgage, the certificate of the record thereof; also an affidavit, verified by himself or agent, showing the amount then actually due thereon.

(2) A copy of any assignment necessary to establish his claim, verified by the affidavit of himself or agent, showing the amount then actually due on the judgment, decree or mortgage.

(3) If the redemptioner or purchaser has a lien prior to that of the lien creditor seeking to redeem, such redemptioner or purchaser shall submit to the sheriff the evidence thereof, and the amount due thereon, or the same may be disregarded.

(4) If the purchaser or the purchaser's successor in interest has paid a sum on a prior lien or obligation secured by an interest in the property, he or she shall submit to the sheriff an affidavit, verified by the purchaser or the purchaser's successor in interest or an agent showing the amount paid on the prior lien or obligation or the prior lien or obligation may be disregarded.

Sec. 7. Section 351, page 91, Laws of 1869 as last amended by section 6, chapter 3, Laws of 1983 and RCW 6.04.100 are each amended to read as follows:

When the writ of execution is against the property of the judgment debtor, the sheriff shall set the date of sale and serve on the debtor, in the same manner as service of a summons in a civil action, a copy of the writ, together with copies of RCW 6.12.010, 6.12.045, 6.12.050, 6.16.020, and 6.16.090, each as now existing or hereafter amended, shall at the time of service notify the judgment debtor of the date of sale, and shall execute the writ as follows:

(1) If property has been attached, he shall indorse on the execution, and pay to the clerk forthwith the amount of the proceeds of sales of perishable property or debts due the defendant received by him, sufficient to satisfy the judgment.

(2) If the judgment is not then satisfied, and property has been attached and remains in his custody, he shall sell the same, or sufficient thereof to satisfy the judgment.

(3) If then any portion of the judgment remains unsatisfied, or if no property has been attached or the same has been discharged, he shall levy on the property of the judgment debtor, sufficient to satisfy the judgment.

(4) Property shall be levied on in like manner and with like effect as similar property is attached.

(5) Until a levy, personal property shall not be affected by the execution. When property has been sold or debts received by the sheriff on execution, he shall pay the proceeds thereof, or sufficient to satisfy the judgment, as commanded in the writ.

(6) When property has been attached and it is probable that such property will not be sufficient to satisfy the judgment, the execution may be levied on other property of the judgment debtor without delay. If after satisfying the judgment any property, or the proceeds thereof, remain in the custody of the sheriff, he shall deliver the same to the judgment debtor.

NEW SECTION. Sec. 8. The 1984 amendments to RCW 6.04.100, 6.24.010, 6.24.015, 6.24.100, 6.24.140, 6.24.145, and 6.24.180 shall apply to all executions under chapter 6.24 RCW commenced after the effective date of this act."

Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives McMullen, Vice Chair; P. King, Lewis, Locke and Tilly.

Passed to Committee on Rules for second reading.

February 13, 1984

SB 4342 Prime Sponsor, Senator Vognild: Making an appropriation to the employment security department to implement its automation plan. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Patrick, Sayan, C. Smith and Struthers.

Absent: Representatives Fisher and O'Brien.

Passed to Committee on Rules for second reading.

February 13, 1984

SSB 4494 Prime Sponsor, Committee on Commerce & Labor: Establishing the Washington state advisory council on international trade development. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Tanner, Vice Chair; Appelwick, Barrett, Braddock, Ebersole, Ellis, Halsan, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Van Dyken, Walk and B. Williams.

Absent: Representatives J. King, Chair; Brough, Haugen, Padden, Schmidt, Tilly and Wilson.

Referred to Committee on Ways & Means.

February 13, 1984

ESB 4534 Prime Sponsor, Senator Williams: Revising provisions relating to the chairman of the nuclear waste policy and review board. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "governor," strike "The" and insert "Notwithstanding the provisions of chapter ... (HB 1159), Laws of ..., the"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Fuhrman, Gallagher, Hastings, Isaacson, Jacobsen, Locke, Long, Miller, Moon, Nealey, Pruitt, Scott, Sutherland and Van Luven.

Passed to Committee on Rules for second reading.

February 13, 1984

ESSB 4829 Prime Sponsor, Committee on Commerce & Labor: Defining dislocated workers for purposes of unemployment compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 after "because" strike "he" and insert "((he)) the individual"

On page 1, line 20 after "which" strike "he" and insert "((he)) the individual"

Signed by Representatives R. King, Chair; Belcher, Vice-Chair; Betzoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Patrick, Sayan, C. Smith and Struthers.

Absent: Representatives Fisher and O'Brien.

Passed to Committee on Rules for second reading.

February 13, 1984

ESB 4852 Prime Sponsor, Senator Hughes: Relating to international investment. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Tanner, Vice Chair; Appelwick, Barrett, Braddock, Ebersole, Ellis, Halsan, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Van Dyken, Walk and B. Williams.

Absent: Representatives J. King, Chair; Brough, Haugen, Padden, Schmidt, Tilly and Wilson.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-127, by Representatives J. King, Galloway, Sutherland, Heck, Tanner and L. Smith

WHEREAS, Senator Henry M. Jackson served the citizens of Clark County and the State of Washington for over forty years as a member of the United States House of Representatives, elected in 1940, and then a United States Senator, elected in 1952; and

WHEREAS, Senator Henry M. Jackson, in representing the State of Washington, displayed the highest level of personal integrity and devotion to duty throughout his entire public career; and

WHEREAS, Senator Henry M. Jackson achieved and deserved recognition across the nation for his pursuit of excellence in service; and

WHEREAS, Senator Henry M. Jackson, through his hard work and intellectual ability, obtained positions of trust and leadership in the Senate, on the Armed Services Committee, Energy and Natural Resources Committee, Governmental Affairs Committee and on the Select Committee on Intelligence; and

WHEREAS, Senator Henry M. Jackson was an individual who epitomized the best of America, and was a tribute to the people of the State of Washington and our great country; and

WHEREAS, The residents of Clark County and the citizens of the State of Washington wish to honor Senator Henry M. Jackson in some lasting manner;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Washington State Transportation Commission officially designate State Route 500 as the "Henry M. Jackson Parkway"; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the Washington State Transportation Commission, the Clark County Board of Commissioners, and the family of the late Senator Henry M. Jackson.

On motion of Mr. J. King, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-129, by Representatives Gallagher, Vekich, Galloway, Mitchell and L. Smith

WHEREAS, The activities of volunteer organizations play an integral role in making our state a good place to live; and

WHEREAS, Two hundred sixty-three Lions Clubs in the State of Washington were responsible for collecting a calculated one million two hundred fifty thousand dollars to benefit the poor, the elderly, the young, and the handicapped citizens of this state during 1983; and

WHEREAS, The fourteen thousand members of these Lions Clubs also donated thousands of hours providing community services benefiting the citizens of this state; and

WHEREAS, Because of the great sums of money collected and time volunteered, valuable public services were provided at no public expense;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the members of the House of Representatives commend the members of the Lions Clubs throughout this state for their voluntary service to the people of this state; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to Lion Walt Bebich, Council Chairman, Multiple District 19, International Association of Lions Clubs.

On motion of Mr. Gallagher, the resolution was adopted.

MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 140 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Wojahn, Talmadge, McDermott, Woody and Fleming)

Establishing the special legislative comparable worth settlement team.

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

Ms. Hine spoke in favor of the resolution, and Mr. Patrick spoke against it.

POINT OF INQUIRY

Ms. Hine yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Hine, if we adopt Substitute Senate Concurrent Resolution No. 140, is it your understanding that the Legislature is taking a position supporting a settlement rather than an appeal?"

Ms. Hine: "Representative Schmidt, the resolution calls for getting together to pursue the possibility of a settlement. In no way does it make a statement saying whether or not settlement, appeal, either or both are the direction of the resolution."

Ms. Schmidt: "So, in fact, it is not our intent to get into this process of the Attorney General deciding whether or not it is in our best interest to come up with a settlement or in our best interest to appeal this decision?"

Ms. Hine: "It certainly is the intent of the resolution that we have a part in making that decision, and that this group of people sit down and discuss all those potentials. That is the thrust of it, that the Legislature not be left out and that we should, in good faith, get together to see whether or not it is in our best interest to negotiate."

Ms. Schmidt: "Then may I ask, jurisdictionally, how we have that right to step in where the Attorney General clearly is the one who has that responsibility?"

Ms. Hine: "If you will note, the suit is against the State of Washington. The State of Washington includes the Governor, the Attorney General and the Legislature. We would be abrogating our duty if we did not step in and at least participate in the discussion of what is in the best interest of the people of the State of Washington."

Representatives Schmidt, Isaacson, Padden and B. Williams spoke against the resolution, and Representatives Allen, Miller and Armstrong spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of Substitute Senate Concurrent Resolution No. 140 as amended by the House, and the resolution was adopted by the following vote: Yeas, 66; nays, 28; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Schmidt, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Barnes, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Mitchell, Nealey, Padden, Patrick, Prince, Sayan, Schoon, Smith C, Struthers, West, Williams B, Williams J, Wilson - 28.

Excused: Representatives Ballard, Fisher, Smith L, Stratton - 4.

Substitute Senate Concurrent Resolution No. 140 as amended by the House, having received the constitutional majority, was declared adopted.

MESSAGE FROM THE SENATE

February 14, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1146,
SUBSTITUTE HOUSE BILL NO. 1200,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3103, by Committee on Local Government (originally sponsored by Senator Sellar)

Providing for surprise audits of county treasuries.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 36th Day, February 13, 1984.)

On motion of Mr. Moon, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3103 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Fisher, Halsan, Smith L, Stratton - 5.

Substitute Senate Bill No. 3103 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3132, by Senators Talmadge and Hemstad

Providing for damages and attorney fees when mortgagees fail to release mortgage upon satisfaction.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3132, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi,

O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Fisher, Smith L, Stratton - 4.

Engrossed Senate Bill No. 3132, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3194, by Committee on Transportation (originally sponsored by Senators Peterson, Guess and Hansen; by Department of Licensing request)

Authorizes department to destroy vehicle license renewal applications upon entering the information contained on them into the computer system.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 10, 1984.)

On motion of Mr. Walk, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3194 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Fisher, Smith L, Stratton - 4.

Substitute Senate Bill No. 3194 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3429, by Committee on Judiciary (originally sponsored by Senators Talmadge and Granlund)

Establishing a state advisory commission on criminal justice.

The bill was read the second time.

On motion of Mr. West, the following amendment was adopted:
On page 2, line 8 strike "1985" and insert "1986"

The bill was passed to Committee on Rules for third reading.

Representative Stratton appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3868, by Committee on Agriculture (originally sponsored by Senator Hansen)

Expanding the authority of irrigation districts.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 27th Day, February 4, 1984.)

Mr. Kaiser moved adoption of the committee amendment to page 4.

Mr. Todd moved adoption of the following amendment by Representatives Todd and C. Smith to the committee amendment:

On page 2, line 20 after "authority," strike the following "This section shall not be construed to prohibit members of an authority from paying the necessary expenses of organizing and administering the authority and of studies performed, applications prepared, and consultants retained with regard to projects the authority is studying, developing, constructing, or operating."

Representatives Todd and Kaiser spoke in favor of the amendment to the amendment, and it was adopted.

Representatives Kaiser and C. Smith spoke in favor of the committee amendment as adopted, and it was adopted.

On motion of Mr. Kaiser, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kaiser spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3868 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ballard, Fisher, Smith L - 3.

Substitute Senate Bill No. 3868 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.

SUBSTITUTE SENATE BILL NO. 4334, by Committee on Local Government (originally sponsored by Senators Owen, Peterson, McManus, Thompson and Talmadge)

Authorizing cities and counties to purchase liability and industrial insurance for offenders performing community services.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon, Van Dyken and G. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4334, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ballard, Fisher, Smith L - 3.

Substitute Senate Bill No. 4334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Ballard appeared at the bar of the House.

MOTION

On motion of Mr. Charnley, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-131, by Representatives Heck, G. Nelson, Sanders, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, John Fluke, Sr., was the founder of John Fluke Manufacturing Co., Inc. based in Everett and was born in Tacoma, Washington; and

WHEREAS, Mr. Fluke built his firm into one of the largest in Washington that is a national high technology leader in the field of electronics testing and measurement systems; and

WHEREAS, Mr. Fluke shared his many talents with the community through civic, cultural and charitable activities; and

WHEREAS, Mr. Fluke is a past president of the Seattle Chamber of Commerce, the founding president of the South Snohomish County Chamber of Commerce, and past president of the Washington State Research Council, and was a community leader in many other trade and professional organizations; and

WHEREAS, Mr. Fluke used his considerable influence and energy to promote foreign trade in Washington State, serving as chairman of the Washington State District Export Council; and

WHEREAS, Mr. Fluke generously contributed his time and resources to education while participating actively to enhance higher education in Washington, especially at the University of Washington where he received a bachelor's degree in electrical engineering, and where he recently established an endowment for manufacturing engineering; and

WHEREAS, Mr. Fluke was a patron of the arts in the Puget Sound area; and

WHEREAS, Mr. Fluke provided an example to all of us by being an innovator throughout his life; and

WHEREAS, Mr. Fluke's sudden death in his Seattle home at the age of seventy-two on Saturday, February 11, 1984 saddened us all;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That John M. Fluke, Sr. be remembered for his indomitable spirit which led to his great success in life; and

BE IT FURTHER RESOLVED, That the House of Representatives extends its sincere and heartfelt sympathies to the family of John M. Fluke, Sr.; and

BE IT FURTHER RESOLVED, That the memory of John M. Fluke, Sr. live on among the citizens of this state; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Mr. Fluke's wife, Lyla and children Virginia Fluke Gabelein, John M. Fluke, Jr., and David Lynd Fluke.

Mr. G. Nelson moved adoption of the resolution. Representatives G. Nelson, Heck and Charnley spoke in favor of the resolution, and it was adopted.

MOTIONS

On motion of Mr. Heck, SENATE BILL NO. 4422 was rereferred from Committee on Agriculture to Committee on Ways & Means.

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Wednesday, February 15, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTY-EIGHTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, February 15, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ellis, Fisher and Smitherman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Anderson and Aaron Brumfield. Prayer was offered by The Reverend Leonard Jones, Corporate Chaplain for Regency Care Centers Incorporated, in Spokane.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

REPORTS OF STANDING COMMITTEES

February 14, 1984

HB 1201 Prime Sponsor, Representative Grimm: Modifying provisions on property tax exemptions and deferrals. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

February 14, 1984

HB 1209 Prime Sponsor, Representative Grimm: Authorizing the use of average assessment levels in equalizing personal property assessments. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

February 14, 1984

SSB 3827 Prime Sponsor, Committee on Agriculture: Requiring that one member of Washington's delegation to the Pacific Northwest Electric Power and Conservation Planning Council be from eastern Washington. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment: on page 1, line 21 after "and" strike the remainder of subsection (4) and insert "one member shall reside west of the crest of the Cascade Mountains."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Bond, Fuhrman, Gallagher, Hastings, Isaacson, Jacobsen, Miller, Moon, Nealey, Pruitt, Scott, Sutherland and Van Luven.

Voting nay: Representatives Barnes and Long.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 13, 1984

ESSB 3849 Prime Sponsor, Committee on Transportation: Regulating conduct on buses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following line 25 insert a new section as follows:

"Sec. 2. Section 4, chapter 76, Laws of 1974 ex. sess., and RCW 46.04.355 are each amended to read as follows:

Municipal transit vehicle includes every motor vehicle, street car, train, trolley vehicle, and any other device, which (1) is capable of being moved within, upon, above, or below a public highway, (2) is owned or operated by a city, county, county transportation authority, public transportation benefit area, or metropolitan municipal corporation within the state, and (3) is used for the purpose of carrying passengers together with incidental baggage and freight on a regular schedule."

On page 1, line 1 of the title after "buses;" insert "amending section 4, chapter 76, Laws of 1974 ex. sess. and RCW 46.04.355;"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luvan, J. Williams, Wilson and Zellinsky.

Voting nay: Representative Vekich.

Absent: Representatives Sutherland, Vice Chair; Fisch, Fisher, Hankins, Locke, Schmidt and Zellinsky.

Passed to Committee on Rules for second reading.

February 14, 1984

SSB 4274 Prime Sponsor, Committee on Commerce & Labor: Revising the regulation of pawnbrokers and second-hand dealers. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Absent: Representatives Ellis, Haugen, Schmidt, Smitherman and Wilson.

Passed to Committee on Rules for second reading.

February 14, 1984

SB 4320 Prime Sponsor, Senator Wojahn: Authorizing persons eighteen years of age and older to service amusement devices on licensed premises. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Absent: Representatives Ellis, Haugen, Schmidt, Smitherman and Wilson.

Passed to Committee on Rules for second reading.

February 14, 1984

SB 4475 Prime Sponsor, Senator Peterson: Requiring a vehicle owner to notify the department of licensing of transfer of ownership. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Powers, Prince, C. Smith, Van Luvan, Vekich, J. Williams, Wilson and Zellinsky.

Voting nay: Representative Patrick.

Absent: Representatives Fisch, Fisher, Schmidt and Zellinsky.

Passed to Committee on Rules for second reading.

February 14, 1984

ESSB 4560 Prime Sponsor, Committee on Energy & Utilities: Requiring disclosure of information to telephone buyers. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 26 after "equipment;" insert "and" and on line 27 strike all of subsection (4) Renumber the remaining subsection consecutively.

On page 2, line 27 strike all of section 10.

On page 1, line 2 of the title after "RCW;" insert "and" and after "penalties" strike all material through "emergency" on line 3.

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Long, Miller, Moon, Pruitt, Scott, Sutherland and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Fuhrman, Hastings, Isaacson and Nealey.

Voting nay: Representatives Barnes, Bond, Fuhrman, Hastings, Isaacson and Nealey.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-122, by Representatives Hankins, Brough, Sanders, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, The American activist Susan B. Anthony was born on this day in the year 1820 in Adams, Massachusetts; and

WHEREAS, Susan B. Anthony served as a school teacher for a brief fifteen years and then dedicated the remainder of her life to promoting vigorously three significant social reform movements: Temperance, antislavery and, most predominantly, woman's rights; and

WHEREAS, In 1848, Susan B. Anthony attended the First Woman's Rights Convention, in Seneca Falls, New York, and in 1852 was elected Secretary at the Third National Woman's Rights Convention; and

WHEREAS, Susan B. Anthony spoke publicly as early as 1854 for woman's necessary economic independence, stating that "Woman must have a purse of her own, and how can this be so as long as the law denies to the wife all right to both the individual and joint earnings?"; and

WHEREAS, In 1860, Susan B. Anthony succeeded in pushing the New York State Legislature to give married women a better legal status, including the right to control their own earnings and to sue in court; and

WHEREAS, Susan B. Anthony published the first edition of The Revolution in 1868 -- an outspoken, progressive newspaper that promoted reforms in the United States that would actualize this newspaper's motto: "The True Republic -- men, their rights and nothing more; women, their rights and nothing less;" and

WHEREAS, Susan B. Anthony, convinced that securing the right to vote was essential to the equality of woman, established, in 1869, the National Woman Suffrage Association that fought for a constitutional amendment enfranchising women; and

WHEREAS, In 1892, Susan B. Anthony was elected President of the National American Woman Suffrage Association; and

WHEREAS, Susan B. Anthony's life-long campaign for women's suffrage and the right of women to exercise all the rights guaranteed citizens by the Bill of Rights

greatly contributed to the adoption of the nineteenth amendment and continued social reforms that have given American women greater freedom and equality today;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives does hereby proclaim Wednesday, February 15, 1984 as "Susan B. Anthony Day" in Washington State, and encourages all citizens to remember her contributions to developing a more egalitarian Republic.

Ms. Hankins moved adoption of the resolution. Representatives Hankins and Brough spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-130, by Representatives Chandler, Betrozoff, Cantu, Tilly, Broback, Patrick, Schoon, Clayton, Ballard, Wilson, Long, Silver, Appelwick, Van Luvan, C. Smith, Dickie, Nealey, Barnes, Struthers, Johnson, Sanders, G. Nelson, Scott, Stratton, Kaiser, Barrett, Mitchell, B. Williams, Hastings, Ebersole, Egger, West, Tanner, Smitherman, McClure, Broback, Addison, Allen, Armstrong, Belcher, Bond, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kreidler, Lewis, Locke, Lux, McMullen, Miller, Monohon, Moon, D. Nelson, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, L. Smith, Sommers, Sutherland, Taylor, Todd, Vander Stoep, Van Dyken, Vekich, Walk, Wang, J. Williams and Zellinsky

WHEREAS, Agriculture is the most essential industry in the United States and in the State of Washington, providing an abundant supply of food for all of our citizens; and

WHEREAS, Agriculture, including its associated productions, processing and marketing activities, is the nation's leading employer, providing jobs for more than twenty-three million Americans; and

WHEREAS, Production agriculture, with its extraordinarily high rate of productivity, is a major contributor to declining rates of inflation; and

WHEREAS, One person working on a United States farm or ranch, using the world's most efficient production techniques, produces enough food for seventy-six people; and

WHEREAS, Agriculture is the most positive sector of our export business, contributing substantially to the reduction of our nation's trade deficit; and

WHEREAS, Agriculture is America's heartbeat and needs the support of all citizens to be kept strong; and

WHEREAS, John D. Spellman, Governor of the State of Washington, has proclaimed March 20, 1984 as "National Agriculture Day" in the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That all citizens of the State of Washington join in this observance, recognizing that our lives have been and will continue to be better as a result of the achievements of our agricultural industry.

Mr. Chandler moved adoption of the resolution. Representatives Chandler and Kaiser spoke in favor of the resolution and it was adopted.

MESSAGES FROM THE SENATE

February 15, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 40,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

February 14, 1984

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3074, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

February 15, 1984

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE CONCURRENT RESOLUTION NO. 147, and passed the resolution as amended by the House.

Sidney R. Snyder, Secretary.

February 15, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3074,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3074.

MOTION

On motion of Mr. Wang, the House reverted to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3429 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge and Granlund)

Establishing a state advisory commission on criminal justice.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3429 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 1; excused, 3.

Voting yeas: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Allen - 1.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Engrossed Substitute Senate Bill No. 3429 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 Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 4341, by Senators Thompson and Barr

Permitting special district employee group insurance for groups of less than ten employees.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4341, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Senate Bill No. 4341, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4301, by Senators Thompson, Zimmerman and Bauer

Limiting the notice requirement for disposal of surplus property by sewer district.

The bill was read the second time.

On motion of Mr. Sanders, the following amendment by Representatives Sanders, Van Dyken and Moon was adopted:

On page 1, after line 14 insert "If property is sold without notice, such property may not be purchased by a commissioner or an employee of the district, or relatives of commissioners or employees."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4301 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 94.

Absent: Representative Zellinsky - 1.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Senate Bill No. 4301 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE SENATE BILL NO. 4380, by Committee on Ways & Means (originally sponsored by Senators Granlund, Hemstad and Deccio)

Adopting the criminal justice information act.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 4380, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Second Substitute Senate Bill No. 4380, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4460, by Senators Peterson and Patterson

Confirming the authority of the department of transportation to sell and lease back state ferries for federal tax purposes.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk, Schmidt, Addison, Clayton, Lux, Schoon, Sayan and Powers spoke in favor of passage of the bill, and Representatives Moon and Sutherland spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4460, and the bill passed the House by the following vote: Yeas, 77; nays, 18; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Fiske, Gallagher, Garrett, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Patrick, Powers, Prince, Pruitt, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 77.

Voting nay: Representatives Belcher, Brekke, Burns, Ebersole, Fisch, Fuhrman, Galloway, Halsan, Heck, Locke, Moon, Nelson D, Niemi, Padden, Rust, Sanders, Sutherland, and Mr. Speaker - 18.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Senate Bill No. 4460, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE SENATE BILL NO. 4503, by Committee on Agriculture (originally sponsored by Senators Hansen and Benitz)

Providing for a bonded wine warehouse license.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kaiser and C. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4503, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Substitute Senate Bill No. 4503, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4642, by Senators Moore, Clarke, Bender and Bluechel

Modifying provisions relating to mutual insurers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4642, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Tilly - 1.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Senate Bill No. 4642, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4647, by Committee on Social & Health Services (originally sponsored by Senators McManus, Kiskaddon and Deccio; by Department of Social and Health Services request)

Revising the state advisory committee to the department of social and health services.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 36th Day, February 13, 1984.)

On motion of Mr. Dellwo, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dellwo spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Dellwo yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Dellwo, with the passage of this bill--Substitute Senate Bill 4647 affects those committees established by the department--will the members of the State Advisory Committee not receive per diem nor reimbursement of any type from the state or federal sources?"

Mr. Dellwo: "The answer is 'no.' As long as the department justifies the continued need for those advisory committees, they will continue to function."

Mr. Mitchell spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4647 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Engrossed Substitute Senate Bill No. 4647 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.

SENATE BILL NO. 4787, by Senators Goltz, Sellar, Moore and Deccio

Modifying provisions relating to home health care.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4787, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Senate Bill No. 4787, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3128, by Senators Talmadge, Hemstad and Hughes

Modifying conditions under which attorneys fees and costs may be awarded in condemnation proceedings.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 37th Day, February 14, 1984.)

On motion of Mr. Armstrong, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3128 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellnsky, and Mr. Speaker - 94.

Voting nay: Representative Stratton - 1.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Engrossed Senate Bill No. 3128 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.

SUBSTITUTE SENATE BILL NO. 3181, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Hughes and Pullen)

Modifying provisions relating to involuntary treatment.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 37th Day, February 14, 1984.)

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 4111, by Committee on Judiciary (originally sponsored by Senators Hughes and Newhouse)

Changing provisions relating to sales under execution and redemption.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 37th Day, February 14, 1984.)

On motion of Mr. Armstrong the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4111 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellnsky, and Mr. Speaker - 95.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

MOTION

Mr. Vander Stoep moved that the Committee on Ways & Means be relieved of House Bill No. 1696 and the bill be placed at the top of the second reading calendar.

Mr. Vander Stoep spoke in favor of the motion.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your motion doesn't open up the subject matter for debate. You can only state your reason why you want the committee to be relieved of the bill."

Mr. Vander Stoep continued his remarks.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Vander Stoep, the motion to commit or recommit doesn't open up the subject matter for debate. You have to state the reason why the Ways & Means Committee didn't consider the bill, but you are going into the merits or demerits of the bill and the whole subject matter."

Mr. Vander Stoep continued his remarks in favor of the motion.

Representative Grimm spoke against the motion, and Representatives Addison and Taylor spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to relieve the Ways & Means Committee of House Bill No. 1696, and place at the top of the second reading calendar, and the motion was lost by the following vote: Yeas, 44; nays, 51; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smith L, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

SENATE BILL NO. 4342, by Senators Vognil and Newhouse; by Employment Security Department request

Making an appropriation to the employment security department to implement its automation plan.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4342, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ellis, Fisher, Smitherman - 3.

Senate Bill No. 4342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Ellis appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 4534, by Senators Williams and Hemstad

Revising provisions relating to the chairman of the nuclear waste policy and review board.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 37th Day, February 14, 1984.)

Mr. D. Nelson moved adoption of the committee amendment and spoke in favor of the amendment.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, what would be the effect of this amendment if that one bill that is referenced here fails to pass the legislature?"

Mr. D. Nelson: "Representative Isaacson, if the bill passes. House Bill 1159, and this bill passes, Engrossed Senate Bill No. 4534, the salary of the chairperson of the Nuclear Waste Board would be established by the Governor and would be in no way affected by House Bill 1159."

Mr. Isaacson: "What is the alternative?"

Mr. D. Nelson: "The alternative, if this bill does not pass and House Bill 1159 does pass, then the House Bill 1159 would rule and the chairperson would receive fifty dollars per month. If neither bill passes, then the chairperson would continue to receive no salary."

The committee amendment was adopted.

Mr. Todd moved adoption of the following amendment by Representatives Todd and D. Nelson:

On page 1, line 18 after "governor," strike "subsequent to a recommendation from the department of personnel" and insert "not to exceed the range of salary recommended by the state committee on salaries"

Representatives Todd and Isaacson spoke in favor of the amendment and it was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives D. Nelson and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4534 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Smitherman - 2.

Engrossed Senate Bill No. 4534 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4829, by Committee on Commerce and Labor (originally sponsored by Senator Vognild; by Emergency Commission on Economic Development request)

Defining dislocated workers for purposes of unemployment compensation.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 37th Day, February 14, 1984.)

On motion of Mr. R. King, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4829 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Smitherman - 2.

Engrossed Substitute Senate Bill No. 4829 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

MOTION

On motion of Mr. Wang, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 14, 1984

HB 1275 Prime Sponsor, Representative Niemi: Imposing the real estate excise tax on floating homes. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 14, 1984

HB 1429 Prime Sponsor, Representative Grimm: Consolidating the reforestation land tax systems. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan and Smitherman.

Voting nay: Representatives Addison, Bond, Brekke, Cantu, Fiske, Hastings, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

February 15, 1984

2SSB 3158 Prime Sponsor, Committee on Judiciary: Modifying the trade name regulation laws. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 26 strike all of section 4.

Renumber the remaining sections accordingly.

On page 4, line 14 after "act." strike everything through "act." on line 18 and insert "Within three years of the effective date of this act, the department of licensing shall devise and implement a no-fee system for identifying and purging trade name registrations that have become inactive."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative L. Smith.

Passed to Committee on Rules for second reading.

February 14, 1984

ESB 3208 Prime Sponsor, Senator Talmadge: Increasing judges' salaries. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Addison, Bond, Cantu and Monohon.

Passed to Committee on Rules for second reading.

February 14, 1984

ESB 3262 Prime Sponsor, Senator McDermott: Modifying provisions on property taxation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 84.12.230, chapter 15, Laws of 1961 as amended by section 161, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.12.230 are each amended to read as follows:

Each company doing business in this state shall annually on or before the 15th day of March, make and file with the department of revenue an annual report, in such manner, upon such form, and giving such information as the department may direct: PROVIDED, That the department, upon written request filed on or before such date and for good cause shown therein, may allow an extension of time for filing not to exceed sixty days. At the time of making such report each company shall also be required to furnish to the department the annual reports of the board of directors, or other officers to the stockholders of the company, duplicate copies of the annual reports made to the interstate commerce commission and to the utilities and transportation commission of this state and duplicate copies of such other reports as the department may direct: PROVIDED, That the duplicate copies of these annual reports shall not be due until such time as they are due to the stockholders or commissioners.

Sec. 2. Section 84.12.260, chapter 15, Laws of 1961 as amended by section 164, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.12.260 are each amended to read as follows:

(1) If any company shall fail to materially comply with the provisions of RCW 84.12.230, the department shall add to the value of such company, as a penalty for such failure, five percent for every thirty days or fraction thereof, not to exceed ten percent, that the company fails to comply.

(2) If any company, or any of its officers or agents shall refuse or neglect to make any report required by this chapter, or by the department of revenue, or shall refuse to permit an inspection and examination of its records, books, accounts, papers or property requested by the department of revenue, or shall refuse or neglect to appear before the department of revenue in obedience to a subpoena, the department of revenue shall inform itself to the best of its ability of the matters required to be known, in order to discharge its duties with respect to valuation and assessment of the property of such company, and the department shall add to the value so ascertained twenty-five percent as a penalty for such failure or refusal and such company shall be estopped to question or impeach the assessment of the department in any hearing or proceeding thereafter. Such penalty shall be in lieu of the penalty provided for in subsection (1) of this section.

Sec. 3. Section 84.16.036, chapter 15, Laws of 1961 as amended by section 178, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.16.036 are each amended to read as follows:

(1) If any company shall fail to comply with the provisions of RCW 84.16.020, the department shall add to the value of such company, as a penalty for such failure, five percent for every thirty days or fraction thereof, not to exceed ten percent, that the company fails to comply.

(2) If any company, or its officer or agent, shall refuse or neglect to make any report required by this chapter, or by the department of revenue, or shall refuse or neglect to permit an inspection and examination of its records, books, accounts, papers or property requested by the department of revenue, or shall refuse or neglect to appear before the department in obedience to a summons, the department shall inform itself the best it may of the matters to be known, in order to discharge its duties with respect to valuation and assessment of the property of such company; and the department shall add to the value so ascertained twenty-five percent as a penalty for the failure or refusal of such company to make its report and such company shall be estopped to question or impeach the assessment of the department of revenue in any hearing or proceeding thereafter. Such penalty shall be in lieu of the penalty provided for in subsection (1) of this section.

Sec. 4. Section 17, chapter 260, Laws of 1981 and RCW 84.48.110 are each amended to read as follows:

Within three days after the record of the proceedings of the state board of equalization is certified by the director of the department, the department shall transmit to each county assessor a copy of the record of the proceedings of the board, specifying the amount to be levied and collected on said assessment books for state purposes for such year, and in addition thereto it shall certify to each county assessor the amount due to each state fund and unpaid from such county for the seventh preceding year, and such delinquent state taxes shall be added to the amount levied for the current year. The department shall close the account of each county for the seventh preceding year and charge the amount of such delinquency to the tax levy of the current year. All taxes collected on and after the first day of July last preceding such certificate, on account of delinquent state taxes for the seventh preceding year shall belong to the county and by the county treasurer be credited to the current expense fund of the county in which collected.

For taxes due in 1985, the department shall add the delinquent taxes for the fifth, sixth, and seventh preceding year to the taxes due, and beginning with taxes due in 1986, the department shall add only the delinquent taxes for the fifth preceding year to the amount of taxes due each year.

Sec. 5. Section 84.56.270, chapter 15, Laws of 1961 and RCW 84.56.270 are each amended to read as follows:

The county treasurer of any county of the state of Washington, after he has first received the approval of the board of county commissioners of such county, through a resolution duly adopted, is hereby empowered to petition the superior court in or for his county to finally cancel and completely extinguish the lien of any delinquent personal property tax which appears on the tax rolls of his county, which is more than ~~((six))~~ four years delinquent, which he attests to be beyond hope of collection, and the cancellation of which will not impair the obligation of any bond issue nor be precluded by any other legal impediment that might invalidate such cancellation. The superior court shall have jurisdiction to hear any such petition and to enter such order as it shall deem proper in the premises."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

February 15, 1984

SB 3376 Prime Sponsor, Senator Talmadge: Modifying provisions relating to the salary of the administrator for the courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Voting nay: Representative Locke.

Absent: Representative L. Smith.

Passed to Committee on Rules for second reading.

February 15, 1984

SSB 4357 Prime Sponsor, Committee on Judiciary: Extending period of enforcement of judgment liens of justice courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative L. Smith.

Passed to Committee on Rules for second reading.

February 14, 1984

SB 4463 Prime Sponsor, Senator Peterson: Clarifying legislative intent on the taxation of special fuels delivered in the state but used outside the state by persons in interstate commerce. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Clayton, Fisch, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Absent: Representatives Fisch, Fisher, Schmidt, J. Williams and Zellinsky.

Passed to Committee on Rules for second reading.

February 14, 1984

ESB 4506 Prime Sponsor, Senator Thompson: Modifying membership in the judicial retirement system. Reported by Committee on Committee on Ways & Means

MAJORITY recommendation: Do Pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 4, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.040 are each amended to read as follows:

The Washington judicial retirement system is hereby created for judges appointed or elected under the provisions of chapters 2.04, 2.06, and 2.08 RCW. All judges first appointed or elected to the courts covered by these chapters on or after August 9, 1971 shall be members of this system (~~Any person serving as a judge on August 9, 1971 and who is covered under the provisions of chapter 2.12 RCW shall have the option of transferring to this system. Said transfer shall be in writing and received by the Washington judicial retirement board not later than one calendar year after August 9, 1971~~); PROVIDED, That following the effective date of this 1984 act, any newly elected or appointed judge holding credit toward retirement benefits under chapter 41.40 RCW shall be allowed thirty days from the effective date of election or appointment to such judgeship to make an irrevocable choice filed in writing with the department of retirement systems to continue coverage under that chapter and to be permanently excluded from coverage under this chapter for the current or any future term as a judge.

Sec. 2. Section 14, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.140 are each amended to read as follows:

A surviving spouse of any judge holding such office, or if he dies after having retired and who, at the time of his death, has served ten or more years in the aggregate, shall receive a monthly allowance equal to fifty percent of the retirement allowance the retired judge was receiving, or fifty percent of the retirement allowance the active judge would have received had he been retired on the date of his death, but in no event less than twenty-five percent of the final average salary that the deceased judge was receiving; PROVIDED, That said surviving spouse had been married to the judge for a minimum of ~~((three))~~ two years at time of death; AND PROVIDED FURTHER, That if the surviving spouse remarries all benefits under this chapter shall cease.

NEW SECTION. Sec. 3. Section 2 of this 1984 act applies in respect to each surviving spouse who first applies for benefits under RCW 2.10.140 after January 1, 1984.

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

On page 1, line 1 of the title after "system;" strike the remainder of the title and insert "amending section 4, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.040; amending section 14, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.140; creating a new section; and declaring an emergency"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Bond, Cantu and Sanders.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

February 15, 1984

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3132,

SUBSTITUTE SENATE BILL NO. 4334,

SENATE CONCURRENT RESOLUTION NO. 147,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3132,

SUBSTITUTE SENATE BILL NO. 4334,

SENATE CONCURRENT RESOLUTION NO. 147.

VISITING DIGNITARY

The Sergeant at Arms notified the Speaker of the arrival of Secretary of Health and Human Services, Margaret M. Heckler.

The Speaker appointed Representatives Hankins, Miller, Powers and Haugen to escort Secretary Margaret Heckler to the rostrum.

The Speaker introduced Secretary Heckler and she briefly addressed the House.

The Speaker instructed the escort committee to escort Secretary Heckler from the House Chamber.

MOTION

On motion of Mr. Wang, the House was adjourned until 1:00 p.m., Thursday, February 16, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

THIRTY-NINTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, February 16, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative P. King, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Troy Livingston and David Hong. Prayer was offered by The Reverend Raymond Banks, Minister of the Free Methodist Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 16, 1984

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 713,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 791,
 SUBSTITUTE HOUSE BILL NO. 1101,
 HOUSE BILL NO. 1107,
 HOUSE BILL NO. 1108,
 HOUSE BILL NO. 1110,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1188,
 SUBSTITUTE HOUSE BILL NO. 1418,
 ENGROSSED HOUSE JOINT MEMORIAL NO. 33,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 16, 1984

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4341,
 SENATE BILL NO. 4342,
 SECOND SUBSTITUTE SENATE BILL NO. 4380,
 SENATE BILL NO. 4460,
 SUBSTITUTE SENATE BILL NO. 4503,
 SENATE BILL NO. 4642,
 SENATE BILL NO. 4787,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 40,
 SENATE BILL NO. 4341,
 SENATE BILL NO. 4342,
 SECOND SUBSTITUTE SENATE BILL NO. 4380,
 SENATE BILL NO. 4460,
 SUBSTITUTE SENATE BILL NO. 4503,
 SENATE BILL NO. 4642,
 SENATE BILL NO. 4787.

REPORTS OF STANDING COMMITTEES

February 15, 1984

ESB 3449 Prime Sponsor, Senator Woody: Restricting statements in the candidate's pamphlet to those about the candidate. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 8 after "(1)" strike all material through "herself," on line 9

On page 1, line 13 after "congress." insert "Statements referring to an opponent are prohibited."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Jacobsen, Miller, Sommers and Zellinsky.

Voting nay: Representatives Long and Vander Stoep.

Absent: Representatives Fisher, Patrick, Schoon and Scott.

Passed to Committee on Rules for second reading.

February 15, 1984

ESB 3488 Prime Sponsor, Senator Rinehart: Removing the extra charge for students registered for more than eighteen credit hours. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Barnes, Brough, Crane, Fiske, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Prince, Struthers, Sutherland, Tanner and Vander Stoep.

Voting nay: Representative Silver.

Absent: Representative Brough.

Passed to Committee on Rules for second reading.

February 15, 1984

ESB 4309 Prime Sponsor, Senator Talmadge: Prohibiting the sexual exploitation of children. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. The legislature finds that the prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance. The care of children is a sacred trust and should not be abused by those who seek commercial gain or personal gratification based on the exploitation of children.

The legislature further finds that the protection of children from sexual exploitation can be accomplished without infringing on a constitutionally protected activity. The definition of 'sexually explicit conduct' and other operative definitions demarcate a line between protected and prohibited conduct and should not inhibit legitimate scientific, medical, or educational activities.

NEW SECTION, Sec. 2. Unless the context clearly indicates otherwise, the definitions in this section apply throughout the chapter.

(1) To 'photograph' means to make a print, negative, slide, motion picture, or videotape. A 'photograph' means any tangible item produced by photographing.

(2) 'Visual or printed matter' means any photograph or other material that contains a reproduction of a photograph.

(3) 'Sexually explicit conduct' means actual or simulated:

(a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals;

(b) Penetration of the vagina or rectum by any object;

(c) Masturbation, for the purpose of sexual stimulation of the viewer;

(d) Sadomasochistic abuse for the purpose of sexual stimulation of the viewer;

(e) Exhibition of the genitals or unclothed pubic or rectal areas of any minor for the purpose of sexual stimulation of the viewer;

(f) Defecation or urination for the purpose of sexual stimulation of the viewer; and

(g) Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer.

NEW SECTION, Sec. 3. (1) A person is guilty of sexual exploitation of a minor if the person:

(a) Compels a minor by threat or force to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance;

(b) Aids or causes a minor to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance; or

(c) Being a parent, legal guardian, or person having custody or control of a minor, permits the minor to engage in sexually explicit conduct, knowing that the conduct will be photographed or part of a live performance.

(2) Sexual exploitation of a minor is:

(a) A class B felony punishable under chapter 9A.20 RCW if the minor exploited is less than sixteen years old at the time of the offense; and

(b) A class C felony punishable under chapter 9A.20 RCW if the minor exploited is at least sixteen years old but less than eighteen years old at the time of the offense.

NEW SECTION. Sec. 4. A person who:

(1) Knowingly develops, duplicates, publishes, prints, disseminates, exchanges, finances, attempts to finance, or sells any visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct; or

(2) Possesses with intent to develop, duplicate, publish, print, disseminate, exchange, or sell any visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct

is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) As used in this section, 'minor' means a person under sixteen years of age.

NEW SECTION. Sec. 5. (1) A person who knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, any visual or printed matter that depicts a minor engaged in sexually explicit conduct is guilty of a class C felony punishable under chapter 9A.20 RCW.

(2) As used in this section, 'minor' means a person under sixteen years of age.

NEW SECTION. Sec. 6. (1) A person who knowingly possesses visual or printed matter depicting a minor engaged in sexually explicit conduct is guilty of a gross misdemeanor.

(2) As used in this section, 'minor' means a person under sixteen years of age.

NEW SECTION. Sec. 7. (1) A person who, in the course of processing or producing visual or printed matter either privately or commercially, has reasonable cause to believe that the visual or printed matter submitted for processing or producing depicts a minor engaged in sexually explicit conduct shall immediately report such incident, or cause a report to be made, to the proper law enforcement agency. Persons failing to do so are guilty of a gross misdemeanor.

(2) As used in this section, 'minor' means a person under sixteen years of age.

NEW SECTION. Sec. 8. (1) A person who communicates with a minor for immoral purposes is guilty of a gross misdemeanor, unless that person has previously been convicted of a felony sexual offense under chapter 9.68A, 9A.44, or 9A.64 RCW or of any other felony sexual offense in this or any other state, in which case the person is guilty of a class C felony punishable under chapter 9A.20 RCW.

(2) As used in this section, 'minor' means a person under eighteen years of age.

NEW SECTION. Sec. 9. (1) A person is guilty of patronizing a juvenile prostitute if that person engages or agrees or offers to engage in sexual conduct with a minor in return for a fee, and is guilty of a class C felony punishable under chapter 9A.20 RCW.

(2) As used in this section, 'minor' means a person under eighteen years of age.

NEW SECTION. Sec. 10. (1) In a prosecution under section 3 of this act, it is not a defense that the defendant was involved in activities of law enforcement and prosecution agencies in the investigation and prosecution of criminal offenses. Law enforcement and prosecution agencies shall not employ minors to aid in the investigation of a violation of section 8 or 9 of this act. This chapter does not apply to individual case treatment in a recognized medical facility or individual case treatment by a psychiatrist or psychologist licensed under Title 18 RCW, or to lawful conduct between spouses.

(2) In a prosecution under section 4, 5, 6, or 7 of this act, it is not a defense that the defendant did not know the age of the child depicted in the visual or printed matter: PROVIDED, That it is a defense, which the defendant must prove by a preponderance of the evidence, that at the time of the offense the defendant was not in possession of any facts on the basis of which he or she should reasonably have known that the person depicted was a minor.

(3) In a prosecution under section 3, 8, or 9 of this act, it is not a defense that the defendant did not know the alleged victim's age: PROVIDED, That it is a defense, which the defendant must prove by a preponderance of the evidence, that at the time of the offense, the defendant reasonably believed the alleged victim to be at least eighteen years of age based on declarations by the alleged victim.

(4) In a prosecution under section 4 or 5 of this act, it is not a defense that the defendant did not know the alleged victim's age: PROVIDED, That it is a defense, which the defendant must prove by a preponderance of the evidence, that at the time of the offense, the defendant reasonably believed the alleged victim to be at least sixteen years of age based on declarations by the alleged victim.

(5) In a prosecution under section 4, 5, or 6 of this act, the state is not required to establish the identity of the alleged victim.

NEW SECTION. Sec. 11. The following are subject to seizure and forfeiture:

- (1) All visual or printed matter that depicts a minor engaged in sexually explicit conduct.
- (2) All raw materials, equipment, and other tangible personal property of any kind used or intended to be used to manufacture or process any visual or printed matter that depicts a minor engaged in sexually explicit conduct, and all conveyances, including aircraft, vehicles, or vessels that are used or intended for use to transport, or in any manner to facilitate the transportation of, visual or printed matter in violation of section 4 or 5 of this act, but:
 - (a) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter;
 - (b) No property is subject to forfeiture under this section by reason of any act or omission established by the owner of the property to have been committed or omitted without the owner's knowledge or consent;
 - (c) A forfeiture of property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and
 - (d) When the owner of a conveyance has been arrested under this chapter the conveyance may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest.
- (3) All personal property, moneys, negotiable instruments, securities, or other tangible or intangible property furnished or intended to be furnished by any person in exchange for visual or printed matter depicting a minor engaged in sexually explicit conduct, or constituting proceeds traceable to any violation of this chapter.
- (4) Property 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:
 - (a) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;
 - (b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;
 - (c) A law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or
 - (d) The law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.
- (5) In the event of seizure under subsection (4) of this section, 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 property seized and the person in charge thereof and any person having any known right or interest therein, of the seizure and intended forfeiture of the seized property. 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.
- (6) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of seized items within forty-five days of the seizure, the item seized shall be deemed forfeited.
- (7) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of seized items 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 an administrative law judge appointed under 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 aggregate value of the article or articles involved is more than five hundred dollars. The hearing before an administrative law judge and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the article or articles 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 seized items. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is lawfully entitled to possession thereof of the seized items.
- (8) If property is sought to be forfeited on the ground that it constitutes proceeds traceable to a violation of this chapter, the seizing law enforcement agency must prove by a preponderance of the evidence that the property constitutes proceeds traceable to a violation of this chapter.
- (9) When property is forfeited under this chapter the seizing law enforcement agency may:
 - (a) Retain it for official use or upon application by any law enforcement agency of this state release the property to that agency for the exclusive use of enforcing this chapter;

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds and all moneys forfeited under this chapter shall be used for payment of all proper expenses of the investigation leading to the seizure, including any money delivered to the subject of the investigation by the law enforcement agency, and of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, actual costs of the prosecuting or city attorney, and court costs. Fifty percent of the money remaining after payment of these expenses shall be deposited in the criminal justice training account established under RCW 43.101.210 which shall be appropriated by law to the Washington state criminal justice training commission and fifty percent shall be deposited in the general fund of the state, county, or city of the seizing law enforcement agency; or

(c) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law.

NEW SECTION. Sec. 12. A minor prevailing in a civil action arising from violation of this chapter is entitled to recover the costs of the suit, including an award of reasonable attorneys' fees.

NEW SECTION. Sec. 13. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 53, Laws of 1980 and RCW 9.68A.010;

(2) Section 2, chapter 53, Laws of 1980 and RCW 9.68A.020;

(3) Section 3, chapter 53, Laws of 1980 and RCW 9.68A.030;

(4) Section 5, chapter 53, Laws of 1980 and RCW 9.68A.900; and

(5) Section 9A.88.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.44.110.

NEW SECTION. Sec. 14. Sections 1 through 12 of this act are each added to chapter 9.68A 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.

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative L. Smith.

Passed to Committee on Rules for second reading.

February 15, 1984

SB 4312 Prime Sponsor, Senator Talmadge: Restructuring financial disclosure reporting requirements. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Jacobsen, Long, Miller, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representatives Fisher and Patrick.

Passed to Committee on Rules for second reading.

February 15, 1984

SB 4469 Prime Sponsor, Senator Talmadge: Correcting a clerical error in statutes relating to polling places. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Jacobsen, Long, Miller, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representatives Fisher and Patrick.

Passed to Committee on Rules for second reading.

February 15, 1984

SSB 4561 Prime Sponsor, Committee on State Government: Modifying emergency services provisions. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Hankins, Johnson, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Bond and Nealey.

Absent: Representatives Silver and Taylor.

Passed to Committee on Rules for second reading.

February 15, 1984

SSB 4620 Prime Sponsor, Committee on State Government: Enlarging definition of veteran. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Waik and J. Williams.

Absent: Representatives Silver and Taylor.

Passed to Committee on Rules for second reading.

February 15, 1984

SSB 4800 Prime Sponsor, Committee on State Government: Coordinating joint legislative systems. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The joint legislative systems committee, hereafter referred to as the 'joint committee,' is created to oversee the direction of the information processing and communications systems of the legislature. The joint committee shall consist of eight members of the legislature selected by the respective chairmen of the rules committees of each house from among the membership of the executive rules committees and equally representing the majority and minority parties.

The initial members of the joint committee shall be appointed within five days after the effective date of this act, and shall serve until their successors are appointed and qualified in the 1985 regular legislative session. Thereafter, members shall serve two-year terms, beginning with their appointment in the legislative session held in an odd-numbered year and continuing until their successors are appointed and qualified. In case of a vacancy, the original appointing authority shall appoint another member of the same party as the vacating member from the executive rules committee.

The joint committee shall choose its own chairman from among its membership, and shall make rules for orderly procedure.

NEW SECTION. Sec. 2. The legislative systems advisory committee, hereafter referred to as the 'advisory committee,' is created to serve in an advisory capacity to the joint committee. The advisory committee shall consist of the secretary of the senate, the chief clerk of the house of representatives, the code reviser, the administrator of the legislative evaluation and accountability program committee, and the legislative systems coordinator appointed under section 3 of this act, or their designees. The legislative systems coordinator shall act as chairman of the advisory committee.

NEW SECTION. Sec. 3. (1) The joint committee, upon the advice of the advisory committee, shall appoint a legislative systems coordinator. The coordinator shall serve at the pleasure of the joint committee, which shall fix the coordinator's salary, to be paid jointly by the senate and the house of representatives.

(2) The coordinator shall coordinate and assist the advisory committee in carrying out its responsibilities under section 5 of this act.

NEW SECTION. Sec. 4. In regards to the information processing and communications systems of the legislature, the joint committee shall, after considering the recommendations of the advisory committee:

- (1) Adopt, and enforce where appropriate, procedures or standards regarding:
 - (a) The definition of systems users requirements;
 - (b) The design of a general systems architecture;
 - (c) Systems capacity plans, including: Usage profiles, projected systems usage, and hardware and software requirements;
 - (d) Equipment compatibility;
 - (e) Software compatibility;
 - (f) Equipment acquisition and maintenance procedures;
 - (g) Systems security;
 - (h) Systems usage;
 - (i) Training and support programs with the following elements: Identification of user training and support requirements, identification of training resources, and systems users documentation and training materials;
- (2) Consider, modify where it is deemed necessary, and adopt the systems application portfolio developed and submitted by the advisory committee; and

(3) Facilitate the communication and coordination of information regarding systems application, the exchange of systems improvement opportunities, and the exchange of functional improvement opportunities among systems users and support functions.

NEW SECTION. Sec. 5. In regards to the information processing and communications systems of the legislature, the legislative systems advisory committee shall:

(1) Develop and submit to the joint committee recommended procedures or standards pertaining to those matters enumerated under section 4(1) of this act;

(2) Develop and submit, to the joint committee, the recommended systems application portfolio required under section 4(2) of this act; and

(3) Assist the joint committee in carrying out the requirements of section 4(3) of this act.

NEW SECTION. Sec. 6. (1) The information processing and communications functions of the senate, the house of representatives, the legislative information system, the legislative evaluation and accountability program committee, and any other legislative agency are subject to the requirements of this chapter and the standards, policies, and procedures established by the joint committee.

(2) The legislature and legislative agencies are expressly exempted from chapter 43.105 RCW and are authorized to purchase, lease, or rent electronic data processing and communications equipment in accordance with this chapter and the standards, policies, and procedures established by the joint committee.

NEW SECTION. Sec. 7. Members of the joint committee and of the advisory committee shall be reimbursed for travel expenses under RCW 44.04.120 or 43.03.050 and 43.03.060, as appropriate, while attending meetings of their committee or on other committee business authorized by their committee.

Sec. 8. Section 5, chapter 212, Laws of 1969 ex. sess. and RCW 1.08.100 are each amended to read as follows:

The code reviser shall be in charge of and shall operate and maintain the legislative information system which shall provide automatic data processing services for the legislature and its various committees and, by agreement, for the judiciary and the legal or law-oriented agencies of the executive branch. All such operations shall be subject to the general supervision of the statute law committee in accordance with the procedures or standards established under section 4 of this act. The statute law committee may employ or engage and fix the compensation for such personnel as may be required to plan, supervise, operate, procure, or supply such services. Pursuant to prior consultation with the ~~((data-processing))~~ legislative systems advisory committee, the statute law committee may enter into contracts with public or private vendors or purchasers for the sale, exchange, or acquisition of data processing materials, services, and facilities.

Sec. 9. Section 9, chapter 373, Laws of 1977 ex. sess. as amended by section 158, chapter 151, Laws of 1979 and RCW 44.48.090 are each amended to read as follows:

The committee shall have the following powers, to be exercised in accordance with the procedures or standards established under section 4 of this act;

(1) To have timely access, upon written request of the administrator, to all machine readable, printed, and other data of state agencies relative to expenditures, budgets, and related fiscal matters;

(2) To suggest changes relative to state accounting and reporting systems to the office of financial management or its successor and to require timely written responses to such suggestions; and

(3) Pursuant to prior consultation with the legislative systems advisory committee, to enter into contracts; and when entering into any contract for computer access, make necessary provisions relative to the scheduling of computer time and usage in recognition of the unique requirements and priorities of the legislative process.

NEW SECTION. Sec. 10. There is added to chapter 43.105 RCW a new section to read as follows:

The senate, the house of representatives, legislative agencies, and the statute law committee are exempt from the provisions of this chapter. However, the authority may provide its services to the senate, the house of representatives, legislative agencies, or the statute law committee at the request of the joint legislative systems committee created by section 1 of this act.

NEW SECTION. Sec. 11. Sections 1 through 7 of this act shall constitute a new chapter in Title 44 RCW.

NEW SECTION. Sec. 12. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "legislature;" strike the remainder of the title and insert "amending section 5, chapter 212, Laws of 1969 ex. sess. and RCW 1.08.100; amending section 9, chapter 373, Laws of 1977 ex. sess. as amended by section 158, chapter 151, Laws of 1979 and RCW 44.48.090; adding a new section to chapter 43.105 RCW; adding a new chapter to Title 44 RCW; and declaring an emergency."

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Silver and Taylor.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Wang, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 3181 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Hughes and Pullen)

Modifying provisions relating to involuntary treatment.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3181 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 0; absent, 13; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King R. Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 84.

Absent: Representatives Barnes, Bond, Braddock, Chandler, Egger, King J, Kreidler, Lux, Nealey, Padden, Schmidt, Todd, Zellinsky - 13.

Excused: Representative King P - 1.

Substitute Senate Bill No. 3181 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 Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 3437, by Senators Talmadge and Patterson

Modifying provisions relating to malicious prosecution.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see JOURNAL, 37th Day, February 14, 1984.)

On motion of Mr. Armstrong, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3437 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson,

Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Barnes, Bond, Schmidt - 3.

Excused: Representative King P - 1.

Engrossed Senate Bill No. 3437 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SECOND SUBSTITUTE SENATE BILL NO. 3158, by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Woody; by Department of Licensing request)

Modifying the trade name regulation laws.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 38th Day, February 15, 1984.)

On motion of Mr. Armstrong, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 3158 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozof, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King P - 1.

Second Substitute Senate Bill No. 3158 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.

Representative P. King appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 3262, by Senator McDermott (by Department of Revenue request)

Modifying provisions on property taxation.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 38th Day, February 15, 1984.)

On motion of Mr. Grimm, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3262 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 3262 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.

SENATE BILL NO. 3376, by Senators Talmadge, Clarke and Warnke

Modifying provisions relating to the salary of the administrator for the courts.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3376, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Locke - 1.

Senate Bill No. 3376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3849, by Committee on Transportation (originally sponsored by Senators Warnke, Guess, Peterson, Bender and Metcalf)

Regulating conduct on buses.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 38th Day, February 15, 1984.)

On motion of Mr. Walk, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Garrett spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3849 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Vekich - 1.

Engrossed Substitute Senate Bill No. 3849 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.

SUBSTITUTE SENATE BILL NO. 4274, by Committee on Commerce & Labor (originally sponsored by Senators Woody and Bender)

Revising the regulation of pawnbrokers and second-hand dealers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. P. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4274, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 4274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4357, by Committee on Judiciary (originally sponsored by Senators Moore and Newhouse)

Extending period of enforcement of judgment liens of justice courts.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4357, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 4357, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4475, by Senators Peterson, Guess and Conner

Requiring a vehicle owner to notify the department of licensing of transfer of ownership.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4475, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 4475, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4506, by Senators Thompson and Hayner

Modifying membership in the judicial retirement system.

The bill was read the second time.

Mr. B. Williams moved adoption of the following amendment:

On page 1, line 18 after "judge" strike the remainder of the bill and insert "shall be a member of the public employees retirement system under chapter 41.40 RCW."

Mr. B. Williams spoke in favor of the amendment, and Ms. Sommers spoke against it.

POINT OF INQUIRY

Mr. B. Williams yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Williams, would it be possible for you to inform me what the present contributions are by the people who are eligible for the current judicial retirement system? What are their benefits now and how many years? Also I need to know what the contributions would be under PERS II and what the benefits would be on the retirement using ten years as a basis for service."

Mr. B. Williams: "Representative Tilly, the essential summary is currently the judges contribute seven and one-half percent which is tax-exempt from their contributions as opposed to the six percent they would have under PERS II. The significant difference is that judges receive a three percent automatic cost-of-living increase per year and PERS receive none. The judges must have ten years and they have an early retirement twelve years. The judges, in addition, rather than the last two years final salary base, or the last five years, as PERS II would have, their salary base is determined as of their salary on the last day on the job provided they served in that position for a one-year period. The example as shown to the Ways & Means Committee showed a rather significant difference between the judges' retirement system and PERS II."

Representatives Tilly and Struthers spoke in favor of the amendment, and Representatives Monohon and Taylor spoke against it.

The amendment was not adopted.

Committee on Ways & Means recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 38th Day, February 15, 1984.)

Mr. Grimm moved adoption of the committee amendment striking everything after the enacting clause and inserting new language.

POINT OF ORDER

Mr. B. Williams: "Mr. Speaker, the proposed committee amendment is in violation of House Rule 12(E), in that this amendment changes the scope and object of the bill."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Williams, the Speaker is going to rule that your point is not well taken. The amendment pertains to the date of the act and the emergency portion of it."

Mr. Grimm spoke in favor of the committee amendment and Mr. B. Williams spoke against it.

The committee amendment was adopted.

On motion of Mr. Grimm, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Tilly spoke in favor of passage of the bill, and Representatives B. Williams and Schoon opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4506 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 14; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barnes, Betzoff, Bond, Brough, Cantu, Chandler, Dickie, Fuhrman, Hastings, Locke, Schoon, Smith C, Smith L, Williams B - 14.

Engrossed Senate Bill No. 4506 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.

SENATE BILL NO. 4320, by Senators Wojahn and Sellar

Authorizing persons eighteen years of age and older to service amusement devices on licensed premises.

The bill was read the second time.

On motion of Mr. Hastings, the following amendment by Representatives Hastings and J. King was adopted:

On page 1, line 17 after "technicians;" strike "and" and insert:

"(2) Persons eighteen years of age and older performing janitorial services to enter and remain on premises licensed under the provisions of Title 66 RCW when the premises are closed but only during and in the course of their performance of janitorial services; and"

Renumber the remaining subsection consecutively.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4320 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 4320 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4560, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Goltz, Fuller, Moore, Woody and Talmadge)

Requiring disclosure of information to telephone buyers.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 38th Day, February 15, 1984.)

Mr. D. Nelson moved that the House do not adopt the committee amendment to page 1, line 26.

Representatives D. Nelson and Jacobsen spoke in favor of the motion, and Representatives Hastings and Isaacson spoke against it.

Mr. Hastings moved that the committee amendment to page 1, line 26 be adopted.

Mr. Hastings spoke in favor of the motion, and Mr. D. Nelson spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House adopt the committee amendment to page 1, line 26 of Engrossed Substitute Senate Bill No. 4560, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Halsan, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smith C, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

On motion of Mr. D. Nelson, the committee amendment to page 2, line 27 and the amendment to the title of the bill were adopted.

The bill was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Wang, the House adjourned until 1:00 p.m., Friday, February 17, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTIETH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, February 17, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lori Hazard and Mark Shropshire. Prayer was offered by The Reverend Raymond Banks, Minister of the Free Methodist Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 16, 1984

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 150,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 17, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1435,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

February 17, 1984

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 40,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 17, 1984

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3376,
SUBSTITUTE SENATE BILL NO. 4274,
SUBSTITUTE SENATE BILL NO. 4357,
SENATE BILL NO. 4475,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 17, 1984

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 140, and has passed the resolution as amended by the House.

Bill Gleason, Assistant Secretary.

February 17, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4506, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

- SECOND SUBSTITUTE HOUSE BILL NO. 713,
- SUBSTITUTE HOUSE BILL NO. 791,
- SUBSTITUTE HOUSE BILL NO. 1101,
- HOUSE BILL NO. 1107,
- HOUSE BILL NO. 1108,
- HOUSE BILL NO. 1110,
- SUBSTITUTE HOUSE BILL NO. 1188,
- SUBSTITUTE HOUSE BILL NO. 1418,
- HOUSE JOINT MEMORIAL NO. 33,
- SENATE BILL NO. 3376,
- SUBSTITUTE SENATE BILL NO. 4274,
- SUBSTITUTE SENATE BILL NO. 4357,
- SENATE BILL NO. 4475.

INTRODUCTION AND FIRST READING

SCR 150 by Senators Shinpoch, Zimmerman, Talmadge, McDermott and Newhouse

Establishing the joint interim study committee on the judicial retirement system.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

SB 3045 Prime Sponsor, Senator Hansen: Removing the requirement for a warm water fish stamp. Reported by Committee on Natural Resources February 16, 1984

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 27 strike "warm water fish and hound stamps, which expire" and insert "~~((warm water fish and hound stamps, which expire))~~ hound stamp which expires"

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fuhrman, Haugen, Isaacson, P. King, McClure, McMullen, Miller, Mitchell, Sanders, L. Smith, Sommers, Sutherland, Vekich, B. Williams and Wilson.

Absent: Representatives Johnson, Sayan and Tanner.

Passed to Committee on Rules for second reading.

SB 3118 Prime Sponsor, Senator Talmadge: Modifying provisions relating to workers' compensation. Reported by Committee on Labor February 16, 1984

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice-Chair; Betzoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Sayan, C. Smith and Struthers.

Absent: Representatives Fisher, O'Brien and Patrick.

Passed to Committee on Rules for second reading.

SB 3379 Prime Sponsor, Senator Owen: Providing group fishing permits for the handicapped and senior citizens. Reported by Committee on Natural Resources February 16, 1984

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Fiske, Haugen, Isaacson, McClure, McMullen, Mitchell, Sanders, L. Smith, Sommers, Sutherland, Vekich and B. Williams.

Voting nay: Representatives Miller and Wilson.

Absent: Representatives Johnson, Sayan and Tanner.

Passed to Committee on Rules for second reading.

February 16, 1984

ESB 3488 Prime Sponsor, Senator Rinehart: Removing the extra charge for students registered for more than eighteen credit hours. Reported by Committee on Rules

Referred to Committee on Ways & Means.

February 16, 1984

SSB 4332 Prime Sponsor, Committee on Financial Institutions: Modifying provisions relating to public depositories. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

On page 15, after line 5 insert the following:

"NEW SECTION. Sec. 22. (1) The joint committee on financial institutions created by section 114, chapter 3, Laws of 1982 is hereby extended until July 1, 1986.

(2) In addition to its other responsibilities, the committee shall study the practices of public depositories charging fees for cashing checks issued by governmental entities for unemployment compensation, workers' compensation, public assistance and social security.

(3) The committee shall make interim reports of its findings and recommendations to the legislature no later than January 1, 1985. A final report shall be submitted to the legislature no later than January 1, 1986.

(4) The committee shall cease to exist on July 1, 1986, unless extended by law for an additional fixed period of time."

On page 2, line 5 of the title after "39.58 RCW;" insert "creating a new section;"

Signed by Representatives Lux, Chair; Ballard, Broback, Crane, Dickie, Galloway, Garrett, Hankins, P. King, Kreidler, Monohon, Sanders, Vekich, Wang and West.

Absent: Representative Cantu.

Passed to Committee on Rules for second reading.

February 15, 1984

SB 4339 Prime Sponsor, Senator Peterson: Modifying tuition and fees for institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 22, after "degrees of" insert "doctor of jurisprudence."

On page 2, line 30, strike "thirty" and insert "sixty-seven"

On page 7, after line 26, insert the following:

"Sec. 4, Section 1, chapter 55, Laws of 1981 and RCW 28B.10.821 are each amended to read as follows:

The state educational grant account is hereby established within the state general fund. The commission shall deposit refunds and recoveries of student financial aid funds expended in prior biennia in such account. Beginning in the 1985-86 academic year, state-supported institutions of postsecondary education shall deposit into this account thirteen percent of the tuition, operating, and services and activities fees they collect. During the 1986-87 academic year, and thereafter, the institutions shall deposit into this account eighteen percent of the tuition and fees collected. Expenditures from such account shall be for financial aid to needy or disadvantaged students.

Sec. 5, Section 28B.15.020, chapter 223, Laws of 1969 ex. sess. as amended by section 34, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.020 are each amended to read as follows:

The term 'general tuition fees' as used in this chapter shall mean the general tuition fees charged students registering at the state's regional universities, The Evergreen State College, and the state universities for quarters or semesters other than the summer session, which fees are to be used as follows: At the University of Washington, solely for the purposes provided in RCW 28B.15.210; at Washington State University, solely for the purposes provided in RCW 28B.15.310; at each of the regional universities and at The Evergreen State College, solely for the purposes provided in RCW 28B.35.370; and at the community colleges, for the purposes provided in RCW 28B.50.320, 28B.50.360 and 28B.50.370 as now or hereafter amended: PROVIDED, That beginning in the 1985-86 academic year thirteen percent of the fees collected shall be transmitted to the state educational grant account within the general fund, outlined in RCW 28B.10.821. During the 1986-87 academic year and thereafter, eighteen percent of the fees collected shall be deposited in the state educational grant account within the general fund.

Sec. 6, Section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 12, chapter 37, Laws of 1982 1st ex. sess. 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 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; PROVIDED FURTHER, That beginning in the 1985-86 academic year thirteen percent of the fees collected shall be transmitted to the state educational grant account within the general fund, outlined in RCW 28B.10.821. During the 1986-87 academic year and thereafter, eighteen percent of the fees collected shall be deposited in the state educational grant account within the general fund.

Sec. 7. Section 35, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.041 are each amended to read as follows:

The term 'services and activities fees' as used in this chapter is defined to mean fees, other than general tuition and operating fees, charged to all students registering at the state's community colleges, regional universities, The Evergreen State College, and state universities. Services and activities fees shall be used as otherwise provided by law or by rule or regulation of the board of trustees or regents of each of the state's community colleges, The Evergreen State College, the regional universities, or the state universities for the express purpose of funding student activities and programs of their particular institution. Student activity fees, student use fees, student building use fees, special student fees, or other similar fees charged to all full time students, or to all students, as the case may be, registering at the state's colleges or universities and pledged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300 as now or hereafter amended, shall be included within and deemed to be services and activities fees: PROVIDED, That beginning in the 1985-86 academic year thirteen percent of the fees collected shall be transmitted to the state educational grant account within the general fund, outlined in RCW 28B.10.821. During the 1986-87 academic year and thereafter, eighteen percent of the fees collected shall be deposited in the state educational grant account within the general fund."

Renumber the remaining section consecutively.

On page 1, line 8 of the title after "28B.15.502:" insert "amending section 1, chapter 55, Laws of 1981 and RCW 28B.10.821; amending section 28B.15.020, chapter 223, Laws of 1969 ex. sess. as amended by section 34, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.020; amending section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 12, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.031; amending section 35, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.041;"

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Crane, Fiske, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Sutherland and Tanner.

MINORITY recommendation: Do not pass. Signed by Representatives Prince and Silver.

Voting nay: Representatives Barnes, Brough, Prince, Silver, Struthers and Vander Stoep.

Passed to Committee on Rules for second reading.

February 16, 1984

SB 4345 Prime Sponsor, Senator Vognild: Providing for eligibility for unemployment compensation for persons receiving crime victims compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betrozoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Sayan, C. Smith and Struthers.

Absent: Representatives Fisher, O'Brien and Patrick.

Passed to Committee on Rules for second reading.

February 16, 1984

SB 4351 Prime Sponsor, Senator Gaspard: Adding members to the high-technology coordinating board. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Walk and B. Williams.

Absent: Representatives Appelwick, Brough, Haugen, Niemi, Van Dyken and Wilson.

Passed to Committee on Rules for second reading.

February 16, 1984

ESSB 4423 Prime Sponsor, Committee on Agriculture: Establishing the agricultural market development task force. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Ballard, Ebersole, Egger, Holland, Moon, Nealey, Prince, C. Smith and Todd.

Absent: Representatives Dickie and Galloway.

Passed to Committee on Rules for second reading.

February 16, 1984

SB 4428 Prime Sponsor, Senator Owen: Modifying the program to purchase fishing vessels and licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Fiske, Fuhrman, Haugen, P. King, McClure, McMullen, Miller, Mitchell, L. Smith, Sommers, Vekich, B. Williams and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Isaacson, Sanders and Sutherland.

Voting nay: Representatives Stratton, Chair; Halsan, vice Chair; Belcher, Isaacson, Sanders and Sutherland.

Absent: Representatives Johnson, Sayan and Tanner.

Passed to Committee on Rules for second reading.

February 16, 1984

ESSB 4443 Prime Sponsor, Committee on Natural Resources: Providing procedures for extinguishing claims to mineral interests. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. Any mineral interest, if unused for a period of twenty years, may be extinguished by the surface owner as set forth in sections 5 and 6 of this act.

NEW SECTION, Sec. 2. A mineral interest means the interest which is created by an instrument transferring, either by grant, assignment, or reservation, or otherwise an interest, of any kind, in any subsurface mineral.

NEW SECTION, Sec. 3. A mineral interest is used if:

(1) Any minerals produced have been in connection with the mineral interest;
 (2) Operations for injection, withdrawal, storage or disposal of water, gas, or other fluid substances have been conducted in connection with the mineral interest;

(3) Rents or royalties have been paid for the purpose of delaying or enjoying the use or exercise of the mineral interest;

(4) The use or the exercise of the mineral interest has been carried out on any tract with which the mineral interest may be unitized or pooled for production purposes;

(5) In the case of coal or other solid minerals, minerals have been produced from a common vein or seam;

(6) Taxes have been paid on such mineral interest;

(7) Any use pursuant to or authorized by the instrument creating such mineral interest has been taken;

(8) A sale, lease, mortgage, or other transfer of the mineral interest has been recorded in the county auditor's office in the county in which the land affected by the mineral interest is located prior to the end of the twenty-year period set forth in section 1 of this act or within two years after the effective date of this act, whichever is later; or

(9) A statement of claim has been filed by the owner of the mineral interest in the manner set forth in section 4 or 6 of this act.

NEW SECTION, Sec. 4. The statement of claim referred to in section 3(9) of this act shall be filed by the current owner of the mineral interest prior to the end of the twenty-year period set forth in section 1 of this act or within two years after the effective date of this act, whichever is later. The statement of claim shall contain the name and address of the current owner of such interest, and the name of the original holder of the mineral interest substantially as that name is shown on the instrument that originally created the mineral interest and shall be accompanied by payment of the fees provided in RCW 36.18.010.

The statement of claim shall be filed in the county auditor's office in the county in which such land affected by the mineral interest is located.

NEW SECTION, Sec. 5. (1) After the later of the expiration of the twenty-year period set forth in section 1 of this act or two years after the effective date of this act, the surface owner may extinguish the mineral interest held by another person and acquire ownership of that interest by providing sixty days notice of intention to file a claim of abandonment and extinguishment of the mineral interest upon the current mineral interest owner. Notice shall be served by personal service or by mailing the notice by registered mail to the last known address of the current mineral interest owner. The county treasurer shall supply the name and address of the current mineral interest owner as they appear on the county property tax records to the surface owner without charge. If the current mineral interest owner is unknown to the county treasurer, and the current mineral interest owner cannot be determined after due diligence, the surface owner may serve the notice upon the current mineral interest owner by publishing the notice at least once each week for three consecutive weeks in a newspaper of general circulation published in the county in which the property interest is located, and if there is no newspaper of general circulation in the county, then in a newspaper of general circulation published in an adjoining county, and if there is no such newspaper in an adjoining county, then in a newspaper of general circulation published at the capital of the state.

(2) The notice of intention to file a claim of abandonment and extinguishment shall contain:

(a) The name and address, if known, of the holder of the mineral interest, as shown of record;

(b) A reference to the instrument originally creating the mineral interest, including where it is recorded;

(c) A description of the lands affected by the mineral interest;

(d) The name and address of the person giving notice;

(e) The date of the first publication of the notice if notice is by publication; and

(f) A statement that a claim of abandonment and extinguishment of the mineral interest will be filed upon the expiration of a period of sixty days after the date of the last publication or the date service was perfected by personal service or registered mail on the current mineral interest owner, unless the current mineral interest owner files a statement of claim of mineral interest in the form prescribed in section 4 of this act.

(3) A copy of the notice of intention to file a claim of abandonment and extinguishment and an affidavit of publication shall be submitted to the county auditor within fifteen days after the date of the last publication or the date service was perfected by personal service or registered mail on the current mineral interest owner.

(4) The affidavit of publication shall contain either:

(a) A statement that a copy of the notice has been personally served upon or mailed to the owner of the current mineral interest and the address to which it was mailed; or

(b) If a copy of the notice was not mailed, a detailed description, including dates, of the efforts made to determine with due diligence the address of the current owner of the mineral interest.

NEW SECTION, Sec. 6. Upon payment of fees provided in RCW 36.18.010, and if the surface owner files the claim of abandonment and extinguishment, together with a copy of the notice and the affidavit of publication, as required in section 5 of this act, in the county auditor's office for the county where such interest is located then the mineral interest shall be conclusively presumed to be extinguished.

If a statement of claim of mineral interest is filed by the current mineral interest owner within the sixty-day period provided in section 5 of this act, together with payment of fees provided in RCW 36.18.010, the county auditor shall record, index, and make special notation in the index of the filing.

NEW SECTION, Sec. 7. Upon receipt, the county auditor shall record a statement of claim or a notice and affidavit of publication in the dormant mineral interest index. When possible, the auditor shall also indicate by marginal notation on the instrument originally creating the mineral interest the recording of the statement of claim or notice and affidavit of publication. The county auditor shall record a statement of claim by cross-referencing in the dormant mineral

interest index the name of the current owner of the mineral interest and the name of the original holder of the mineral interest as set out in the statement of claim.

NEW SECTION, Sec. 8. Mineral interests retained or owned by any public entity or mineral interests resulting from land exchanges between public and private owners shall not be subject to a claim of abandonment and extinguishment.

NEW SECTION, Sec. 9. The provisions of this chapter may not be waived at any time prior to the expiration of the twenty-year period under section 1 of this act.

NEW SECTION, Sec. 10. Sections 1 through 9 of this act shall constitute a new chapter in Title 78 RCW."

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Fiske, Fuhrman, Haugen, Isaacson, P. King, McClure, McMullen, Sanders, Sommers, Sutherland, Vekich, B. Williams and Wilson.

Voting nay: Representatives Belcher, Miller, Mitchell and L. Smith.

Absent: Representatives Johnson, Sayan and Tanner.

Passed to Committee on Rules for second reading.

February 16, 1984

SB 4558 Prime Sponsor, Senator Williams: Establishing procedures to convene the legislature to consider high-level nuclear waste storage siting decisions. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7 after "if" strike all material through "that" on line 8

On page 1, line 8 after "is" strike "being" and after "recommended" insert "by the President"

On page 1, beginning on line 16 strike "and" and after "States" insert ", the Speaker and the President Pro Tem of the United States Congress"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Long, Miller, Moon, Pruitt, Scott and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Fuhrman, Hastings, Isaacson and Nealey.

Voting nay: Representatives Barnes, Fuhrman, Hastings, Nealey and Van Luven.

Absent: Representatives Bond, Isaacson and Sutherland.

Passed to Committee on Rules for second reading.

February 16, 1984

SSB 4778 Prime Sponsor, Committee on Financial Institutions: Requiring actions to examine the federal reserve system. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Ballard, Broback, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, Kreidler, Sanders, Vekich and Wang.

Voting nay: Representative P. King.

Absent: Representatives Cantu, Kreidler and Sanders.

Passed to Committee on Rules for second reading.

February 16, 1984

SJM 127 Prime Sponsor, Senator Williams: Requesting the Department of Energy to review other radioactive waste sites. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Long, Miller, Moon, Pruitt, Scott, Sutherland and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Fuhrman, Hastings, Isaacson and Nealey.

Absent: Representatives Bond and Isaacson.

Passed to Committee on Rules for second reading.

February 16, 1984

ESJM 131 Prime Sponsor, Senator Williams: Requesting consideration of nuclear waste policy and liability. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Fuhrman, Gallagher, Hastings, Jacobsen, Locke, Long, Miller, Moon, Nealey, Pruitt, Scott, Sutherland and Van Luven.

Absent: Representatives Bond, Isaacson and Sutherland.

Passed to Committee on Rules for second reading.

VISITING DIGNITARIES

The Speaker recognized within the House Chamber members of the Legislature from the State of Alaska and appointed Representatives Grimm, Silver, Van Dyken and Belcher to escort them to the rostrum.

The Speaker introduced Representatives Charles Russell, Hal Adams, Tony Boska and Speaker Pro Tem Romona Barnes. Speaker Pro Tem Barnes briefly addressed the House.

The Speaker requested the committee to escort the visitors from the House Chamber.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4560 AS AMENDED BY THE HOUSE, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Goltz, Fuller, Moore, Woody and Talmadge)

Requiring disclosure of information to telephone buyers.

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

Mr. Jacobsen spoke in favor of passage of the bill, and Mr. Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4560 as amended by the House, and the bill passed the House by the following vote: Yeas, 73; nays, 25; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Ballard, Barnes, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Isaacson, Johnson, Long, Miller, Nealey, Padden, Prince, Sanders, Silver, Smith C, Vander Stoep, West, Williams J - 25.

Engrossed Substitute Senate Bill No. 4560 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.

STATEMENT FOR THE JOURNAL

Please include this note in the Journal:

I voted against ESSB 4560 on the House floor today because an amendment put on in committee was removed on the floor. This action made it impossible for me to support a bill I supported when it left the committee.

JEANINE H. LONG, 44TH District.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 3449, by Senators Woody, Hayner, Bottiger, Gaspard and Hemstad

Restricting statements in the candidate's pamphlet to those about the candidate.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 39th Day, February 16, 1984.)

On motion of Mr. Pruitt, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3449 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Dickie - 1.

Engrossed Senate Bill No. 3449 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED SENATE BILL NO. 4852, by Senator Hughes

Relating to international investment.

The bill was read the second time.

On motion of Mr. Tilly, the following amendments by Representatives Tilly and J. King were adopted:

On page 2, line 2 after "point for" strike "foreign" and after "investors" insert "from nations other than the United States of America"

On page 2, line 15 after "attract" strike "foreign" and after "investors" insert "from nations other than the United States of America"

On page 2, line 35 after "assistance to" strike "foreign" and after "investors" insert "from nations other than the United States of America"

On page 3, line 3 after "interested" strike "foreign" and after "investors" insert "from nations other than the United States of America"

On page 3, line 4 after "analyze" strike "foreign" and insert "international"

On page 3, line 9 after "between" strike "foreign" and after "nations" insert "other than the United States of America"

On page 3, line 16 after "assistance to" strike "foreign" and after "investors" insert "from nations other than the United States of America"

On page 4, line 3 after "number of" strike "foreign" and after "investors" insert "from nations other than the United States of America"

On page 4, line 4 after "number of" strike "foreign" and after "businesses" insert "owned or controlled by investors who are citizens of nations other than the United States of America"

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4852 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 4852 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4309, by Senators Talmadge, Vognild, Hughes, Hemstad, Moore, Hayner, Granlund, Woody and Peterson

Prohibiting the sexual exploitation of children.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 39th Day, February 16, 1984.)

On motion of Mr. Armstrong, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong, Lewis, West, Wang, Patrick and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4309 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Niemi - 1.

Engrossed Senate Bill No. 4309 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.

SENATE BILL NO. 4312, by Senators Talmadge and Hemstad; by Public Disclosure Commission request

Restructuring financial disclosure reporting requirements.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Fisch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4312, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 4312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4469, by Senator Talmadge

Correcting a clerical error in statutes relating to polling places.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Fisch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4469, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 4469, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4561, by Committee on State Government (originally sponsored by Senators Thompson and Fuller; by Governor Spellman request)

Modifying emergency services provisions.

The bill was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 4620, by Committee on State Government (originally sponsored by Senators Hughes, Bender, Owen, McDermott, Peterson, Wojahn, Bottiger, Talmadge, Moore, Bauer, Gaspard, Shinpoch, McCaslin, McDonald, Sellar, Fleming, Vognild and Conner)

Enlarging definition of veteran.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4620, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 4620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1201, by Representatives Grimm and Tilly (by Department of Revenue request)

Modifying provisions on property tax exemptions and deferrals.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1201, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1201, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1209, by Representatives Grimm and Tilly (by Department of Revenue request)

Authorizing the use of average assessment levels in equalizing personal property assessments.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1209, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1275, by Representatives Niemi, Burns, D. Nelson, Armstrong, Sommers and Brekke

Imposing the real estate excise tax on floating homes.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 1275 was substituted for House Bill No. 1275, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1275 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1275, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1275, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

HOUSE BILL NO. 1429, by Representatives Grimm, Sommers and Hine

Consolidating the reforestation land tax systems.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 1429 was substituted for House Bill No. 1429, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1429 was read the second time.

Mr. Halsan moved adoption of the following amendment by Representatives Halsan and Tilly:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that two separate systems are used in the taxation of forest land and the timber and forest crops grown thereon. Less than eight percent of private forest land is taxed under the system enacted in 1931; over ninety-two percent is taxed under the 1971 law. The policies established under RCW 84.28.005 in 1931 and RCW 84.33.010 in 1971 will be carried out more efficiently and equitably under a single uniform taxing system. It

is the purpose of sections 2 through 6 of this act to phase out the system enacted in 1931 for taxation of forest land and forest crops and to integrate the taxation of that land and forest crops into the tax system enacted in 1971.

NEW SECTION. Sec. 2. There is added to chapter 84.28 RCW a new section to read as follows:

The classification of land as reforestation land under this chapter is terminated, effective July 1, 1984. Effective July 1, 1984, this land shall be classified forest land under chapter 84.33 RCW and this land and the timber standing thereon shall be subject to all provisions of chapter 84.33 RCW: PROVIDED, That for timber harvested from these reclassified reforestation lands for the period July 1, 1984, through December 1, 1984, the tax shall be paid prior to January 31, 1985, and such tax revenue shall be distributed to the state and local taxing districts in the same manner as if the timber were harvested after October 1, 1984.

NEW SECTION. Sec. 3. There is added to chapter 84.28 RCW a new section to read as follows:

As used in this chapter, 'reclassified reforestation land' means land for which the classification has terminated under section 2 of this act.

NEW SECTION. Sec. 4. There is added to chapter 84.28 RCW a new section to read as follows:

The county assessor of a county in which there are reclassified reforestation lands shall notify each owner of record of reclassified reforestation land of the reclassification prior to August 1, 1984. If the owner desires to remove any such land from classification as reclassified reforestation land, the owner shall file an application for removal from classification of the land by legal description prior to October 1, 1984. The application for declassification shall be accompanied by a payment equal to six percent of the stumpage value of any commercial timber standing on the land as of July 1, 1984. The assessor shall accept the request for removal from classification but may ask for an appraisal of the standing timber certified by an experienced timber cruiser before final acceptance of the payment due. Upon final approval and payment of the proper amount, the assessor shall assess the land at its value for highest and best use as of January 1, 1985.

NEW SECTION. Sec. 5. There is added to chapter 84.28 RCW a new section to read as follows:

In preparing the assessment rolls as of January 1, 1985, for taxes payable in 1986, the assessor shall list, prior to May 31, 1985, each parcel of reclassified reforestation land at the values set in accordance with RCW 84.33.120. For the purpose of calculating the limitation on tax levies under chapter 84.55 RCW, the increase in assessed valuation of reclassified reforestation land entered on the tax rolls as of January 1, 1985, shall be treated the same as increases resulting from new construction. Reclassified reforestation land shall be considered to have been designated or classified forest land for a period in excess of ten years for purposes of calculating any compensating tax which may become payable under RCW 84.33.140.

NEW SECTION. Sec. 6. There is added to chapter 84.28 RCW a new section to read as follows:

(1) There shall be paid by each owner of reclassified reforestation lands, in addition to the excise tax imposed under RCW 84.33.071, in respect to timber harvested from these lands, the following amounts:

- (a) For timber harvested in 1985, three percent of the stumpage value;
- (b) For timber harvested in 1986, two percent of the stumpage value; and
- (c) For timber harvested in 1987, one percent of the stumpage value.

(2) The taxes payable under this section shall be paid to the county treasurer of the county in which the timber is harvested on or before March 15 of the year following the harvest. The county treasurer shall distribute these receipts to local taxing districts in the same manner as the distributions of tax receipts under chapter 84.33 RCW.

NEW SECTION. Sec. 7. There is added to chapter 84.33 RCW a new section to read as follows:

(1) For the purpose of computing the apportionment of timber tax revenues to the taxing districts of the timber counties and to the state general fund for the support of the common schools in 1985 and subsequent years there shall be added to the timber roll established by RCW 84.33.050 for each acre of reclassified reforestation land, as defined in section 3 of this act, an amount per acre equal to the average timber roll value per acre of all land classified as forest land under this chapter and such amount shall be apportioned equally to each acre of reforestation land reclassified under this chapter by section 2 of this act.

(2) For the purpose of computing the apportionment of timber tax revenues under RCW 84.33.080(5) to the taxing districts of the timber counties and to the state general fund for the support of the common schools in 1985 and subsequent years, there shall be included in the computation of the harvest factor an amount equal to the average of the aggregate value of all forest products harvested from reforestation lands classified under chapter 84.28 RCW in each of the immediately preceding five years as determined from the yield tax returns filed with the county in which such forest crops were harvested. The respective county official

maintaining the records of the value of such forest crops harvested shall certify to the department of revenue the information necessary for the purposes of this section.

(3) The distribution of moneys from timber tax account A and the timber tax reserve account as limited by RCW 84.33.080(4) shall be increased from the limit otherwise calculated for the year 1985 by seven and one-half percent to compensate for the addition of the reclassified reforestation lands to taxation under this chapter.

NEW SECTION. Sec. 8. The department of revenue shall audit the records of each county in which there are forest lands classified under chapter 84.28 RCW for the purpose of determining compliance with chapter 84.28 RCW in respect to the collection of yield taxes on timber harvested and the disposition of such moneys for the period 1980 through 1984. The department of revenue shall advise the state treasurer of any underpayment or overpayment of moneys due the state and may enter into an agreement with the county treasurer relieving the county of any further liability under chapter 84.28 RCW.

NEW SECTION. Sec. 9. Nothing in sections 2 through 6 of this act excuses or discharges any person from the yield tax imposed by RCW 84.28.110 with respect to timber harvested from reforestation lands prior to July 1, 1984."

Mr. Halsan spoke in favor of the amendment, and Representatives Sommers and Sayan spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Halsan and Tilly to Substitute House Bill No. 1429, and the amendment was adopted by the following vote: Yeas, 52; nays, 46; excused, 0.

Vote ye: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Vote nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 46.

On motion of Mr. Halsan, the following amendment to the title was adopted:

On page 1, line 2 of the title, after "systems;" strike the remainder of the title and insert "adding new sections to chapter 84.28 RCW; adding a new section to chapter 84.33 RCW; and creating new sections."

Substitute House Bill No. 1429 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-132, by Representatives Burns, Niemi, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Debbie Armstrong of Seattle won the first gold medal for the United States team at the Olympic Winter Games in Sarajevo, Yugoslavia by winning the women's giant slalom event; and

WHEREAS, Debbie Armstrong's time of 2 minutes 20.98 seconds for the two runs gave her the first place medal, and was the first gold medal performance for a United States woman skier in the giant slalom in thirty years; and

WHEREAS, The victory for Debbie Armstrong was her first in international competition;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That our congratulations for a superb performance be conveyed through adoption of this Resolution on behalf of the citizens of the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Debbie Armstrong and to her parents, Hu and Dollie Armstrong.

Mr. Burns moved adoption of the resolution. Representatives Burns, Charnley and Tilly spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-139, by Representatives Heck, Galloway, Powers, Dickie, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, The development of vocational skills is crucial to the economic well-being of this state and the nation; and

WHEREAS, Growth in international trade is dependent on the increasing availability of highly trained people in technical occupations and crafts; and

WHEREAS, Most employers in this state require persons skilled in crafts or technology; and

WHEREAS, Vocational, technical education is vital for the development of these necessary occupational skills; and

WHEREAS, Through these technical and vocational programs, citizens of our state learn to work with both head and hands thereby enhancing their job opportunities and enhancing our state's economic health; and

WHEREAS, February 12 through February 18 is National Vocational Education Week;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That in recognition of the dignity of work in our society the members of the House of Representatives honor students enrolled in vocational and technical programs and commend these training programs for the opportunities they provide; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send copies of this Resolution to the Commission for Vocational Education, the State Board for Community College Education, and the Superintendent of Public Instruction.

On motion of Mr. Heck, the resolution was adopted.

MOTION

On motion of Mr. Heck, SENATE BILL NO. 4220 was rereferred from Committee on Commerce & Economic Development to Committee on Labor.

MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Monday, February 20, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 20, 1984

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Kaiser, Niemi and Wang, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michelle Taylor and Mark Miller. Prayer was offered by The Reverend Ken Koeman of the Sonlight Community Christian Reformed Church of Lynden.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

REPORTS OF STANDING COMMITTEES

February 16, 1984

2SSB 3051 Prime Sponsor, Committee on Agriculture: Modifying the laws governing transportation or confining animals. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 10 after "confinement" insert "or"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Ballard, Galloway, Holland, Moon, C. Smith and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Egger and Nealey.

Voting nay: Representatives Dickie, Egger and Nealey.

Absent: Representatives Ebersole and Prince.

Passed to Committee on Rules for second reading.

February 17, 1984

ESB 3507 Prime Sponsor, Senator Hurley: Modifying provisions relating to gubernatorial appointments. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:
Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 338, Laws of 1981 and RCW 43.06.092 are each amended to read as follows:

(1) Any gubernatorial appointee subject to senate confirmation (~~shall~~) may not continue to serve (~~unless~~) if rejected by a vote of the senate. An appointee who is not rejected by a vote of the senate may serve without confirmation but only for a period beginning on the date of his or her appointment and ending on the thirtieth day after final adjournment of the next regular session convened after the appointee has served twelve months. However, persons holding appointive office on the effective date of this act may serve without confirmation for a period of one year after such effective date. An appointee failing to be confirmed by the senate shall not be reappointed to the same position for a period of one year from termination of service.

(2) Any person appointed by the governor to fill the unexpired term of an appointment subject to senate confirmation must also be confirmed by the senate."

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Hankins, Johnson, Nealey, Silver, Taylor and J. Williams.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 3984

Prime Sponsor, Committee on Judiciary: Clarifying recall procedures.
Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 19 strike all of subsections (1) and (2) and insert:

'(1) 'Mistfeasance' or 'malfeasance' in office means any wrongful conduct that affects, interrupts, or interferes with the performance of official duty;

(a) Additionally, 'mistfeasance' in office means the performance of a duty in an improper manner; and

(b) Additionally, 'malfeasance' in office means the commission of an unlawful act;'

Renumber the remaining subsection accordingly.

On page 3, line 20 after "encompasses" strike "a part of" and insert "an area in"

On page 3, line 36 after "resides" insert ", and shall petition the superior court to approve the synopsis and to determine the sufficiency of the charges"

On page 4, line 2 after "follows:" strike all material through "synopsis." on line 8 and insert:

"Within fifteen days after receiving the petition, the superior court shall have conducted a hearing on and shall have determined, without cost to any party, (1) whether or not the acts stated in the charge satisfy the criteria for which a recall petition may be filed, and (2) the adequacy of the ballot synopsis."

On page 8, beginning on line 19 after "rule" strike all material through "RCW." and insert "for canvassing initiative petitions under RCW 29.79.200."

On page 8, line 21 after "employed" strike ", and no" and insert ". No"

On page 11, beginning on line 23 after "recall." strike all material through "RCW." on line 25

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Jacobsen, Long, Patrick, Schoon and Sommers.

Absent: Representatives Barnes, Fisher, Miller, Scott, Vander Stoep and Zellinsky.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4306

Prime Sponsor, Committee on State Government: Modifying provisions relating to public health. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

'NEW SECTION. Sec. 1. There is added to chapter 43.20 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Consumer representative' means any person who is not an elected official, who has no fiduciary obligation to a health facility or other health agency, and who has no material financial interest in the rendering of health services.

(2) 'Local health board' means a health board created pursuant to chapter 70.05, 70.08, or 70.46 RCW.

(3) 'Local health officer' means the legally qualified physician appointed as a health officer pursuant to chapter 70.05, 70.08, or 70.46 RCW.

Sec. 2. Section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030 are each amended to read as follows:

The state board of health shall be composed of ((six)) ten members. These shall be the secretary or ((his)) the secretary's designee and ((five)) nine other persons to be appointed by the governor, including four persons experienced in matters of health and sanitation, an elected city official who is a member of a local health board, an elected county official who is a member of a local health board, a local health officer, and ((one)) two persons representing the consumers of health care. Before appointing the city official, the governor shall consider any recommendations submitted by the association of Washington cities. Before appointing the county official, the governor shall consider any recommendations submitted by the Washington state association of counties. Before appointing the local health officer, the governor shall consider any recommendations submitted by the Washington state association of local public health officials. Before appointing one of the two consumer representatives, the governor shall consider any recommendations submitted by the state council on aging. The chairman shall be selected by the governor from among the ((five)) nine appointed members ((appointed by him)). The department of social and health services shall assign, subject to the continuing approval of the board, an executive director who shall be exempt from chapter 41.06 RCW, and provide such additional staff assistance as necessary for the performance of its function.

NEW SECTION. Sec. 3. (1) There is created the joint select committee on public health. The committee shall consist of the following members:

(a) Two majority members and two minority members of the senate, to be appointed by the president of the senate;

(b) Two majority members and two minority members of the house of representatives, to be appointed by the speaker of the house of representatives;

(c) The chair of the state board of health or the chair's designee;

(d) The chair of the state health coordinating council or the chair's designee;

(e) The director of the department of veterans affairs or the director's designee;

(f) The secretary of social and health services or the secretary's designee;

(g) A local public health official to be appointed by the president of the senate and the speaker of the house of representatives acting jointly;

(h) A physician licensed under chapter 18.71 RCW to be appointed by the president of the senate and the speaker of the house of representatives acting jointly; and

(i) Two persons who have demonstrated an interest in public health. One of these persons shall be appointed by the president of the senate and the other shall be appointed by the speaker of the house of representatives.

(2) Legislative members of the committee shall be reimbursed for travel expenses by their respective houses as provided under RCW 44.04.120. Nonlegislative members of the committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. The cost of travel expenses for members appointed under subsection (1) (h) and (i) of this section shall be paid by the senate and the house of representatives, the costs to be divided equally between the two houses.

(3) The committee shall study issues pertaining to public health and report its conclusions and recommendations to the legislature by January 1, 1986, on which date the committee shall cease to exist."

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Walk.

Voting nay: Representative Taylor.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4313 Prime Sponsor, Committee on Local Government: Authorizing the formation of combined city and county municipal corporations under Article XI, section 16 of the Constitution. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Van Dyken and Van Luven.

Voting nay: Representatives Brough, Chandler and Van Dyken.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4326 Prime Sponsor, Committee on Commerce & Labor: Re-defining the permissible political activities in which employment security department employees may engage. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Jacobsen, Long, Patrick, Schoon, Sommers and Zellinsky.

Absent: Representatives Barnes, Fisher, Miller, Scott and Vander Stoep.

Passed to Committee on Rules for second reading.

February 16, 1984

SB 4338 Prime Sponsor, Senator Peterson: Removing restrictions on motor vehicle renewals. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Sutherland, Vice Chair; Betrozoff, Clayton, Fisch, Hankins, Patrick, Powers, Prince, Schmidt, C. Smith, Vekich, J. Williams, Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Egger, Vice Chair; Barrett, Burns, Charnley, Fisher, Gallagher, Locke and Mitchell.

Voting nay: Representatives Egger, Vice Chair; Barrett, Burns, Charnley, Fisher, Gallagher, Garrett, Locke, Mitchell and Van Luven.

Passed to Committee on Rules for second reading.

February 16, 1984

SSB 4419 Prime Sponsor, Committee on Agriculture: Updating milk and milk product testing laws. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 15.36 RCW a new section to read as follows:

(1) If the results of an antibiotic or pesticide residue test are above the actionable level as determined by procedures set forth in the current edition of 'Standard Methods for the Examination of Dairy Products,' a producer holding a grade A permit is subject to a civil penalty. The penalty shall be in an amount equal to one-half the value of the sum of the volumes of milk equivalent produced under the permit on the day prior to and the day of the adulteration. The value of the milk shall be computed by the weighted average price for the federal market order under which the milk is delivered.

(2) The penalty is imposed by the department giving a written notice which is either personally served upon or transmitted by certified mail, return receipt requested, to the person incurring the penalty. The notice of the civil penalty shall be a final order of the department unless, within fifteen days after the notice is received, the person incurring the penalty appeals the penalty by filing a notice of appeal with the department. If a notice of appeal is filed in a timely manner, a contested case hearing shall be conducted on behalf of the department by the office of administrative hearings in accordance with chapters 34.04 and 34.12 RCW and, to the extent they are not inconsistent with this subsection, the provisions of RCW 15.36.580. At the conclusion of the hearing, the department shall determine whether the penalty should be affirmed, reduced, or not imposed and shall issue a final order setting forth the civil penalty assessed, if any. The order may be appealed to superior court in accordance with chapter 34.04 RCW. Tests performed for antibiotic or pesticide residues by a state or certified industry laboratory of a milk sample drawn by a department official or a licensed dairy technician shall be admitted as prima facie evidence of the presence or absence of an antibiotic or pesticide residue.

(3) Any penalty imposed under this section is due and payable upon the issuance of the final order by the department. The penalty shall be deducted by the violator's marketing organization from the violator's final payment for the month following the assessment of the penalty and final disposition of the hearing process. The department shall promptly notify the violator's marketing organization of any penalties contained in the final order.

(4) All penalties received or recovered from violations of this section shall be remitted monthly by the violator's marketing organization to the Washington state dairy products commission and deposited in a revolving fund to be used solely for the purposes of education and research. No appropriation is required for disbursements from this fund.

(5) In case of a violation of the antibiotic or pesticide residue test requirements, an investigation shall be made to determine the cause of the residue which shall be corrected. Additional samples shall be taken as soon as possible and tested as soon as feasible for antibiotic or pesticide residue by the department or a certified laboratory. After the notice has been received by the producer and the results of a test of such an additional sample indicate that residues are above the actionable level or levels referred to in subsection (1) of this section, the producer's milk may not be sold until a sample is shown to be below the actionable levels established for the residues.

Sec. 2. Section 15.36.060, chapter 11, Laws of 1961 and RCW 15.36.060 are each amended to read as follows:

The word 'person' means any individual, partnership, firm, corporation, company, trustee, or association.

'Director' means the director of agriculture of the state of Washington or his duly authorized representative.

'Department' means the state department of agriculture.

'Health officer' means the county or city health officer as defined in Title 70 RCW, or his authorized representatives.

Where the term 'and/or' is used 'and' shall apply where possible, otherwise 'or' shall apply.

Sec. 3. Section 15.36.120, chapter 11, Laws of 1961 as amended by section 2, chapter 297, Laws of 1981 and RCW 15.36.120 are each amended to read as follows:

Grades of milk and milk products as defined in this chapter shall be based on the respectively applicable standards contained in RCW 15.36.120 ~~((to))~~ through 15.36.460. ~~((inclusive;))~~ with the grading of milk products being identical with the grading of milk. ~~((and))~~ except that ~~bacterial standards are omitted in the case of ((sour cream and buttermilk))~~ cultured milk products. Vitamin D milk shall be only of grade A, certified pasteurized, or certified raw quality. The grade of a milk product shall be that of the lowest grade milk or milk product used in its preparation.

Sec. 4. Section 15.36.140, chapter 11, Laws of 1961 as amended by section 3, chapter 297, Laws of 1981 and RCW 15.36.140 are each amended to read as follows:

Grade A raw milk is raw milk produced upon dairy farms conforming with all of the items of sanitation contained in RCW 15.36.150 ~~((to))~~ through 15.36.280, ~~((inclusive;))~~ and the bacterial plate count does not exceed twenty thousand per milliliter and the coliform count does not exceed ten per milliliter.

Grade A raw milk for pasteurization is raw milk produced upon dairy farms conforming with all of ~~((said))~~ the same items of sanitation except RCW 15.36.265 (bottling and capping), 15.36.270 (personnel health), and ~~((such))~~ portions of other items as ~~((are))~~ indicated ~~((therein))~~, and the bacterial plate count, as delivered from the farm, does not exceed ~~((one hundred))~~ eighty thousand per milliliter as determined in accordance with RCW 15.36.110.

Sec. 5. Section 15.36.260, chapter 11, Laws of 1961 and RCW 15.36.260 are each amended to read as follows:

Milk and milk products for consumption in the raw state or for pasteurization shall be cooled within ~~((thirty minutes after))~~ two hours of completion of milking to ~~((fifty))~~ forty degrees Fahrenheit or less and maintained at that temperature until ~~((delivery, as determined))~~ picked up, in accordance with RCW 15.36.110, so long as the blend temperature after the first and following milkings does not exceed fifty degrees Fahrenheit. ~~((Milk delivered daily for pasteurization shall be cooled within thirty minutes after completion of milking to sixty degrees Fahrenheit or less and maintained at that temperature until delivered and dumped.~~

Milk delivered every other day for pasteurization shall be cooled to forty degrees Fahrenheit or lower at the place of production and shall not exceed forty-five degrees Fahrenheit at any time prior to pasteurization:))"

On page 1, line 1 of the title, after "products," insert "amending section 15.36.060, chapter 11, Laws of 1961 and RCW 15.36.060."

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland, Moon, Nealey, Prince, C. Smith and Todd.

Passed to Committee on Rules for second reading.

February 17, 1984

SB 4437 Prime Sponsor, Senator Talmadge: Eliminating the provision of law school credits for WWII veterans. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Brough, Crane, Fiske, R. King, D. Nelson, Powers, Prince, Silver, Struthers and Vander Stoep.

Absent: Representatives Barnes, Locke, McMullen, Miller, Sutherland and Tanner.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4529 Prime Sponsor, Committee on State Government: Establishing six-year terms of office for the executive directors of the state historical societies. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Absent: Representative Kaiser.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4541

Prime Sponsor, Committee on Judiciary: Establishing provisions for relief from domestic violence. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. This chapter may be cited as the 'Domestic Violence Prevention Act'.

NEW SECTION. Sec. 2. As used in this chapter, the following terms shall have the meanings given them:

(1) 'Domestic violence' means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; or (b) sexual assault of one family or household member by another.

(2) 'Family or household members' means spouses, former spouses, adult persons related by blood or marriage, persons who are presently residing together, or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time.

(3) 'Court' includes the superior, district, and municipal courts of the state of Washington.

(4) 'Judicial day' does not include Saturdays, Sundays, or legal holidays.

NEW SECTION. Sec. 3. (1) Any person may seek relief under this chapter by filing a petition with a court alleging that the person has been the victim of domestic violence committed by the respondent. The person may petition for relief on behalf of himself or herself and on behalf of minor family or household members.

(2) The courts defined in section 2(3) of this act have jurisdiction over proceedings under this chapter. If a proceeding under chapter 26.09, 26.12, or 26.26 RCW is commenced in a superior court before or after the filing of an action in a district or municipal court under this chapter, then the superior court shall have exclusive jurisdiction over proceedings under this chapter. Any municipal or district court order entered while that court had jurisdiction remains valid until superseded by a superior court order.

(3) An action under this chapter shall be filed in the county or the municipality where the petitioner resides, unless the petitioner has left the residence or household to avoid abuse. In that case, the petitioner may bring an action in the county or municipality of the previous or the new household or residence.

(4) A person's right to petition for relief under this chapter is not affected by the person leaving the residence or household to avoid abuse.

(5) If an action under this chapter is commenced in a district or municipal court and a petitioner or respondent contests custody or visitation rights, then, upon the motion of either party containing proof that the petition for relief under this chapter has been filed with the superior court, the district or municipal court shall dismiss the action.

NEW SECTION. Sec. 4. There shall exist an action known as a petition for an order for protection in cases of domestic violence.

(1) A petition for relief shall allege the existence of domestic violence, and shall be accompanied by an affidavit made under oath stating the specific facts and circumstances from which relief is sought.

(2) A petition for relief may be made regardless of whether or not there is a pending lawsuit, complaint, petition, or other action between the parties.

(3) All court clerk's offices shall make available simplified forms and instructional brochures. Any assistance or information provided by clerks under this section does not constitute the practice of law and clerks are not responsible for incorrect information contained in a petition.

(4) A filing fee of twenty dollars shall be charged for proceedings under this section. Forms and instructional brochures shall be provided free of charge.

(5) A person is not required to post a bond to obtain relief in any proceeding under this section.

NEW SECTION. Sec. 5. (1) Persons seeking relief under this chapter may file an application for leave to proceed in forma pauperis on forms supplied by the court. If the court determines that a petitioner lacks the funds to pay the costs of filing, the petitioner shall be granted leave to proceed in forma pauperis and no filing fee shall be charged by the court to the petitioner for relief sought under this chapter.

(2) For the purpose of determining whether a petitioner has the funds available to pay the costs of filing an action under this chapter, the income of the household or family member named as the respondent is not considered.

NEW SECTION. Sec. 6. Upon receipt of the petition, the court shall order a hearing which shall be held not later than fourteen days from the date of the order. Personal service shall be made upon the respondent not less than five court days prior to the hearing. If timely service cannot be made, the court may set a new hearing date.

NEW SECTION. Sec. 7. Upon notice and after hearing, the court may provide relief as follows:

(1) Restrain a party from committing acts of domestic violence;

(2) Exclude the respondent from the dwelling which the parties share or from the residence of the petitioner;

(3) On the same basis as is provided in chapter 26.09 RCW, award temporary custody and establish temporary visitation with regard to minor children of the parties, and restrain any party from interfering with the custody of the minor children;

(4) Order the respondent to participate in treatment or counseling services;

(5) Order other relief as it deems necessary for the protection of a family or household member, including orders or directives to a peace officer, as allowed under this chapter; and

(6) Require the respondent to pay the filing fee and court costs, including service fees, and to reimburse the petitioner for costs incurred in bringing the action, including a reasonable attorney's fee.

Any relief granted by the order for protection, other than a judgment for costs, shall be for a fixed period not to exceed one year.

NEW SECTION. Sec. 8. (1) Where an application under this section alleges that irreparable injury could result from domestic violence if an order is not issued immediately without prior notice to the respondent, the court may grant an ex parte temporary order for protection, pending a full hearing, and grant relief as the court deems proper, including an order:

(a) Restraining any party from committing acts of domestic violence;

(b) Excluding any party from the dwelling shared or from the residence of the other until further order of the court; and

(c) Restraining any party from interfering with the other's custody of the minor children or from removing the children from the jurisdiction of the court.

(2) Irreparable injury under this section includes but is not limited to situations in which the respondent has recently threatened petitioner with bodily injury or has engaged in acts of domestic violence against the petitioner.

(3) The court shall hold an ex parte hearing in person or by telephone on the day the petition is filed or on the following judicial day.

(4) An ex parte temporary order for protection shall be effective for a fixed period not to exceed fourteen days, but may be reissued. A full hearing, as provided in this chapter, shall be set for not later than fourteen days from the issuance of the temporary order. The respondent shall be served with a copy of the ex parte order along with a copy of the petition and notice of the date set for the hearing.

NEW SECTION. Sec. 9. When an order is issued under this chapter upon request of the petitioner, the court may order a peace officer to accompany the petitioner and assist in placing the petitioner in possession of the dwelling or residence, or otherwise assist in the execution of the order of protection. Orders issued under this chapter shall include a designation of the appropriate law enforcement agency to execute, serve, or enforce the order.

NEW SECTION. Sec. 10. (1) An order issued under this chapter shall be personally served upon the respondent, except as provided in subsection (6) of this section.

(2) The sheriff of the county or the peace officers of the municipality in which the respondent resides shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party.

(3) If service by a sheriff or municipal peace officer is to be used, the clerk of the court shall have a copy of any order issued under this chapter forwarded on or before the next judicial day to the appropriate law enforcement agency specified in the order for service upon the respondent. Service of an order issued under this chapter shall take precedence over the service of other documents unless they are of a similar emergency nature.

(4) If the sheriff or municipal peace officer cannot complete service upon the respondent within ten days, the sheriff or municipal peace officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification.

(5) Returns of service under this chapter shall be made in accordance with the applicable court rules.

(6) If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.

NEW SECTION. Sec. 11. A copy of an order for protection granted under this chapter shall be forwarded by the clerk of the court on or before the next judicial day to the appropriate law enforcement agency specified in the order.

Upon receipt of the order, the law enforcement agency shall forthwith enter the order for one year into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any county in the state.

NEW SECTION. Sec. 12. (1) Whenever an order for protection is granted under this chapter and the respondent or person to be restrained knows of the order, a violation of the restraint provisions or of a provision excluding the person from a residence is a misdemeanor.

(2) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under this chapter that restrains the person or excludes the person from a residence, if the person restrained knows of the order.

(3) A violation of an order for protection shall also constitute contempt of court, and is subject to the penalties prescribed by law.

(4) Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order for protection granted under this chapter, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen days why the respondent should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation.

NEW SECTION. Sec. 13. When a party alleging a violation of an order for protection issued under this chapter states that the party is unable to afford private counsel and asks the prosecuting attorney for the county or the attorney for the municipality in which the order was issued for assistance, the attorney shall initiate and prosecute a contempt proceeding if there is probable cause to believe that the violation occurred. In this action, the court may require the violator of the order to pay the costs incurred in bringing the action, including a reasonable attorney's fee.

NEW SECTION. Sec. 14. Upon application with notice to all parties and after a hearing, the court may modify the terms of an existing order for protection. In any situation where an order is terminated or modified before its expiration date, the clerk of the court shall forward on or before the next judicial day a true copy of the modified order or the termination order to the appropriate law enforcement agency specified in the modified or termination order. Upon receipt of the order, the law enforcement agency shall promptly enter it in the law enforcement information system.

NEW SECTION. Sec. 15. Nothing in this act may affect the title to real estate.

NEW SECTION. Sec. 16. Any proceeding under this act is in addition to other civil or criminal remedies.

NEW SECTION. Sec. 17. No peace officer may be held criminally or civilly liable for making an arrest under section 12 of this act if the police officer acts in good faith and without malice.

Sec. 18. Section 9A.36.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.36.040 are each amended to read as follows:

(1) Every person who shall commit an assault or an assault and battery not amounting to assault in either the first, second, or third degree shall be guilty of simple assault.

(2) Simple assault is a gross misdemeanor.

(3) Every person convicted of three offenses under this section against a family or household member as defined in RCW 10.99.020 is guilty of a class C felony.

Sec. 19. Section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 1, chapter 106, Laws of 1981 and RCW 10.31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through ~~((3))~~ (4) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, chapter 26.26 RCW, or chapter 26.... RCW (sections 1 through 17 of this 1984 act) restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence; or

(b) The person within the preceding four hours has assaulted that person's spouse, former spouse, or other person with whom the person resides or has formerly resided.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

~~((3))~~ (4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

~~((4))~~ (5) Except as specifically provided in subsections (2) ~~((and))~~, (3), and (4) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(6) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) if the police officer acts in good faith and without malice.

Sec. 20. Section 2, chapter 105, Laws of 1979 ex. sess. and RCW 10.99.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) ~~“(‘Cohabitant’ means a person who is married or who is cohabiting with a person as husband and wife at the present time or at some time in the past. Any person who has one or more children in common with another person, regardless of whether they have been married or lived together at any time, shall be treated as a cohabitant). ‘Family or household members’ means spouses, former spouses, adult persons related by blood or marriage, persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time.~~

(2) ‘Domestic violence’ includes but is not limited to any of the following crimes when committed by one ~~((cohabitant))~~ family or household member against another:

(a) Assault in the first degree (RCW 9A.36.010);

(b) Assault in the second degree (RCW 9A.36.020);

(c) Simple assault (RCW 9A.36.040);

(d) Reckless endangerment (RCW 9A.36.050);

(e) Coercion (RCW 9A.36.070);

(f) Burglary in the first degree (RCW 9A.52.020);

(g) Burglary in the second degree (RCW 9A.52.030);

(h) Criminal trespass in the first degree (RCW 9A.52.070);

(i) Criminal trespass in the second degree (RCW 9A.52.080);

(j) Malicious mischief in the first degree (RCW 9A.48.070);

(k) Malicious mischief in the second degree (RCW 9A.48.080);

(l) Malicious mischief in the third degree (RCW 9A.48.090);

(m) Kidnapping in the first degree (RCW 9A.40.020);

(n) Kidnapping in the second degree (RCW 9A.40.030); ~~((and))~~

(o) Unlawful imprisonment (RCW 9A.40.040);

(p) Violation of the provisions of a restraining order restraining the person or excluding the person from a residence (RCW 26.09.300);

(q) Violation of the provisions of a protection order restraining the person or excluding the person from a residence (section 7, 8, or 14 of this 1984 act);

(r) Rape in the first degree (RCW 9.79.170); and

(s) Rape in the second degree (RCW 9.79.180).

(3) ‘Victim’ means a ~~((cohabitant))~~ family or household member who has been subjected to domestic violence.

Sec. 21. Section 3, chapter 105, Laws of 1979 ex. sess. as amended by section 5, chapter 145, Laws of 1981 and RCW 10.99.030 are each amended to read as follows:

(1) All training relating to the handling of domestic violence complaints by law enforcement officers shall stress enforcement of criminal laws in domestic situations, availability of community resources, and protection of the victim. Law enforcement agencies and community organizations with expertise in the issue of domestic violence shall cooperate in all aspects of such training.

(2) The primary duty of peace officers, when responding to a domestic violence situation, is to enforce the laws allegedly violated and to protect the complaining party.

(3)(a) When a peace officer responds to a domestic violence call and has probable cause to believe that a crime has been committed, the peace officer ~~((may))~~ shall exercise arrest powers with reference to the criteria in RCW 10.31.100. The officer shall notify the victim of the victim's right to initiate a criminal proceeding in all cases where the officer has not exercised arrest powers or decided to initiate criminal proceedings by citation or otherwise. The parties in such cases shall also be advised of the importance of preserving evidence.

(b) A peace officer responding to a domestic violence call shall take a complete offense report including the officer's disposition of the case.

(4) When a peace officer responds to a domestic violence call, the officer shall advise victims of all reasonable means to prevent further abuse, including advising each person of the availability of a shelter or other services in the community, and giving each person immediate notice of the legal rights and remedies available. The notice shall include handing each person a copy of the following statement:

'IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or county prosecuting attorney to file a criminal complaint. You also have the right to file a petition in superior, district, or municipal court requesting an order for protection from domestic abuse which could include any of the following: (a) An order restraining your abuser from further acts of abuse; (b) an order directing your abuser to leave your household; (c) an order preventing your abuser from entering your residence, school, business, or place of employment; (d) an order awarding you or the other parent custody of or visitation with your minor child or children; and (e) an order restraining your abuser from molesting or interfering with minor children in your custody. The forms you need to obtain a protection order are available in any municipal, district, or superior court.

Information about shelters and alternatives to domestic violence is available from a state-wide twenty-four-hour toll-free hotline at 1-800-562-6025. The battered women's shelter and other resources in your area are --- (include local information)'

(5) The peace officer may offer, arrange, or facilitate transportation for the victim to a hospital for treatment of injuries or to a place of safety or shelter.

((6)) (6) The law enforcement agency shall forward the offense report to the appropriate prosecutor within ten days of making such report if there is probable cause to believe that an offense has been committed, unless the case is under active investigation.

((7)) (7) Each law enforcement agency shall make as soon as practicable a written record and shall maintain records of all incidents of domestic violence reported to it.

((8)) (8) Records kept pursuant to subsections (3) and ((6)) (7) of this section shall be made identifiable by means of a departmental code for domestic violence.

Sec. 22. Section 4, chapter 105, Laws of 1979 ex. sess. as last amended by section 7, chapter 232, Laws of 1983 and RCW 10.99.040 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

(a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;

(b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;

(c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence: PROVIDED, That the court may order a criminal defense attorney not to disclose to his client the victim's location; and

(d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence.

(2) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any defendant charged with a crime involving domestic violence is released from custody before trial on bail or personal recognizance, the court authorizing the release may prohibit the defendant from having any contact with the victim. The arresting jurisdiction authorizing the release shall determine whether the defendant should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting the defendant from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact order prohibiting the defendant from having contact with the victim. The no-contact order shall also be issued in writing as soon as possible. If the court has probable cause to believe that the defendant is likely to use or display or threaten to use a deadly weapon as defined in RCW 9A.04.110 in any further acts of violence, the court may also require the defendant to surrender any deadly weapon in the defendant's immediate possession or control, or subject to the defendant's immediate possession or control, to the sheriff of the county or chief of police of the municipality in which the defendant resides or to the defendant's counsel for safekeeping.

(3) Willful violation of a court order issued under subsection (2) of this section is a misdemeanor. The written order releasing the defendant shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 10.99 RCW and will subject a violator to arrest. A certified copy of ((such)) the order shall be provided to the victim.

(4) Whenever an order prohibiting contact is issued under subsection (2) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall forthwith enter the order for one year into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information

system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

Sec. 23. Section 7, chapter 145, Laws of 1981 as amended by section 8, chapter 232, Laws of 1983 and RCW 10.99.045 are each amended to read as follows:

(1) A defendant arrested for an offense involving domestic violence as defined by RCW 10.99.020(2) shall be required to appear in person before a magistrate within one judicial day after the arrest(---or).

(2) A defendant who is charged by citation, complaint, or information with an offense involving domestic violence as defined by RCW 10.99.020(2) and not arrested shall appear in court for arraignment in person as soon as practicable, but in no event later than fourteen days after the next day on which court is in session following the issuance of the citation or the filing of the complaint or information.

(3) At the time of the appearances provided in subsection (1) or (2) of this section, the court shall determine the necessity of imposing a no contact order or other conditions of pretrial release according to the procedures established by court rule for a preliminary appearance or an arraignment. If the court has probable cause to believe that the defendant is likely to use or display or threaten to use a deadly weapon as defined in RCW 9A.04.110 in any further acts of violence, as one of the conditions of pretrial release, the court may require the defendant to surrender any deadly weapon in the defendant's immediate possession or control, or subject to the defendant's immediate possession or control, to the sheriff of the county or chief of police of the municipality in which the defendant resides or to the defendant's counsel for safekeeping. The decision of the judge and findings of fact in support thereof shall be in writing.

(4) Appearances required pursuant to this section are mandatory and cannot be waived.

(5) The no-contact order shall be issued and entered with the appropriate law enforcement agency pursuant to the procedures outlined in RCW 10.99.040 (2) and (4).

Sec. 24. Section 5, chapter 105, Laws of 1979 ex. sess. and RCW 10.99.050 are each amended to read as follows:

(1) When a defendant is found guilty of a crime and a condition of the sentence restricts the defendant's ability to have contact with the victim, such condition shall be recorded and a written certified copy of that order shall be provided to the victim.

(2) Whenever an order prohibiting contact is issued pursuant to this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall forthwith enter the order for one year into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

Sec. 25. Section 8, chapter 145, Laws of 1981 as amended by section 9, chapter 232, Laws of 1983 and RCW 10.99.055 are each amended to read as follows:

(Any law enforcement agency in this state may enforce this chapter as it relates to orders restricting the defendants ability to have contact with the victim and orders requiring defendants to surrender firearms:)) A peace officer in this state shall enforce an order issued by any court in this state restricting a defendant's ability to have contact with a victim by arresting and taking the defendant into custody, pending release on bail, personal recognizance, or court order, when the officer has probable cause to believe that the defendant has violated the terms of that order.

Sec. 26. Section 6, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.09.060 are each amended to read as follows:

(1) In a proceeding for:

(a) Dissolution of marriage, legal separation, or a declaration of invalidity; or

(b) Disposition of property or liabilities, maintenance, or support following dissolution of the marriage by a court which lacked personal jurisdiction over the absent spouse; either party may move for temporary maintenance or for temporary support of children entitled to support. The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amounts requested.

(2) As a part of a motion for temporary maintenance or support or by independent motion accompanied by affidavit, either party may request the court to issue a temporary restraining order or preliminary injunction, providing relief proper in the circumstances, and restraining or enjoining any person from:

(a) Transferring, removing, encumbering, concealing, or in any way disposing of any property except in the usual course of business or for the necessities of life, and, if so restrained or enjoined, requiring him to notify the moving party of any proposed extraordinary expenditures made after the order is issued;

(b) Molesting or disturbing the peace of the other party or of any child and, upon a showing by clear and convincing evidence that the party so restrained or enjoined has used or displayed or threatened to use a deadly weapon as defined in RCW 9A.04.110 in an act of violence or has previously committed acts of domestic violence and is likely to use or display

or threaten to use a deadly weapon in an act of domestic violence, requiring the party to surrender any deadly weapon in his immediate possession or control or subject to his immediate possession or control to the sheriff of the county having jurisdiction of the proceeding or to the restrained or enjoined party's counsel or to any person designated by the court. The court may order temporary surrender of deadly weapons without notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for response has elapsed:

(c) Entering the family home or the home of the other party upon a showing of the necessity therefor;

(d) Removing a child from the jurisdiction of the court.

(3) The court may issue a temporary restraining order without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(4) The court may issue a temporary restraining order or preliminary injunction and an order for temporary maintenance or support in such amounts and on such terms as are just and proper in the circumstances.

(5) Restraining orders issued under this section restraining the person from molesting or disturbing another party or from entering a party's home shall bear the legend: VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.09 RCW AND WILL SUBJECT A VIOLATOR TO ARREST.

(6) The court may order that any temporary restraining order granted under this section be forwarded by the clerk of the court on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the order, the law enforcement agency shall forthwith enter the order for one year into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any county in the state.

(7) A temporary order, temporary restraining order, or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding;

(b) May be revoked or modified;

(c) Terminates when the final decree is entered or when the petition for dissolution, legal separation, or declaration of invalidity is dismissed;

(d) May be entered in a proceeding for the modification of an existing decree.

~~((6))~~ (8) A support debt owed to the state for public assistance expenditures which has been charged against a party pursuant to RCW 74.20A.040 and/or 74.20A.055 shall not be merged in, or otherwise extinguished by, the final decree or order, unless the office of support enforcement has been given notice of the final proceeding and an opportunity to present its claim for the support debt to the court and has failed to file an affidavit as provided in this subsection. Notice of the proceeding shall be served upon the office of support enforcement personally, or by certified mail, and shall be given no fewer than thirty days prior to the date of the final proceeding. An original copy of the notice shall be filed with the court either before service or within a reasonable time thereafter. The office of support enforcement may present its claim, and thereby preserve the support debt, by filing an affidavit setting forth the amount of the debt with the court, and by mailing a copy of the affidavit to the parties or their attorney prior to the date of the final proceeding.

Sec. 27. Section 18, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.180 are each amended to read as follows:

(1) Except as authorized for proceedings brought under chapter 26.-- RCW (sections 1 through 17 of this 1984 act) in district or municipal courts, a child custody proceeding is commenced in the superior court:

(a) By a parent:

(i) By filing a petition for dissolution of marriage, legal separation or declaration of invalidity; or

(ii) By filing a petition seeking custody of the child in the county where the child is permanently resident or where he is found; or

(b) By a person other than a parent, by filing a petition seeking custody of the child in the county where the child is permanently resident or where he is found, but only if the child is not in the physical custody of one of its parents or if the petitioner alleges that neither parent is a suitable custodian.

(2) Notice of a child custody proceeding shall be given to the child's parent, guardian and custodian, who may appear and be heard and may file a responsive pleading. The court may, upon a showing of good cause, permit the intervention of other interested parties.

Sec. 28. Section 1, chapter 99, Laws of 1974 ex. sess. and RCW 26.09.300 are each amended to read as follows:

(1) ~~((Any person having had actual notice of the existence of a restraining order issued by a court of competent jurisdiction in an action for the dissolution of a marriage under this chapter who refuses to comply with the provisions of such order when requested by any peace officer of the state shall be guilty of a misdemeanor:~~

~~(2) The notice requirements of subsection (1) may be satisfied by the peace officer giving oral or written evidence to the person subject to the order by reading from or handing to that person a copy certified to be an accurate copy of the original on file by a notary public or the clerk of the court of the court order which copy may be supplied by the court, the complainant or the complainant's attorney:~~

~~(3) The remedies provided by this section shall not apply unless restraining orders subject to this section shall bear the legend: VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.09 RCW AND IS ALSO SUBJECT TO CIVIL CONTEMPT PROCEEDINGS:~~

~~(4)) Whenever a restraining order is issued under this chapter, and the person to be restrained knows of the order, a violation of the provisions restricting the person from acts or threats of violence or of a provision excluding the person from the residence is a misdemeanor.~~

~~(2) A person is deemed to have notice of a restraining order if:~~

~~(a) The person to be restrained or the person's attorney signed the order;~~

~~(b) The order recites that the person to be restrained or the person's attorney appeared in person before the court;~~

~~(c) The order was served upon the person to be restrained; or~~

~~(d) The peace officer gives the person oral or written evidence of the order by reading from it or handing to the person a certified copy of the original order, certified to be an accurate copy of the original by a notary public or by the clerk of the court.~~

~~(3) A peace officer shall verify the existence of a restraining order by:~~

~~(a) Obtaining information confirming the existence and terms of the order from a law enforcement agency; or~~

~~(b) Obtaining a certified copy of the order, certified to be an accurate copy of the original by a notary public or by the clerk of the court.~~

~~(4) A peace officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:~~

~~(a) A restraining order has been issued under this chapter;~~

~~(b) The respondent or person to be restrained knows of the order; and~~

~~(c) The person to be arrested has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from the residence.~~

~~(5) It is a defense to prosecution under subsection (1) of this section that the court order was issued contrary to law or court rule(~~PROVIDED: That no right of action shall accrue against any peace officer acting upon a properly certified copy of a court order lawful on its face if such officer employs otherwise lawful means to effect the arrest~~)).~~

~~(6) No peace officer may be held criminally or civilly liable for making an arrest under subsection (4) of this section if the officer acts in good faith and without malice.~~

Sec. 29. Section 1, chapter 38, Laws of 1973 as last amended by section 5, chapter 330, Laws of 1981 and RCW 36.18.020 are each amended to read as follows:

Clerks of superior courts shall collect the following fees for their official services:

(1) The party filing the first or initial paper in any civil action, including an action for restitution, or change of name, shall pay, at the time said paper is filed, a fee of seventy dollars except in proceedings filed under section 4 of this 1984 act where the petitioner shall pay a filing fee of twenty dollars.

(2) Any party filing the first or initial paper on an appeal from justice court or on any civil appeal, shall pay, when said paper is filed, a fee of seventy dollars.

(3) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a justice court in the county of issuance, shall pay at the time of filing, a fee of fifteen dollars.

(4) For the filing of a tax warrant by the department of revenue of the state of Washington, a fee of five dollars shall be paid.

(5) The party filing a demand for jury of six in a civil action, shall pay, at the time of filing, a fee of twenty-five dollars; if the demand is for a jury of twelve the fee shall be fifty dollars. If, after the party files a demand for a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(6) For filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in his office for which no other charge is provided by law, the clerk shall collect two dollars.

(7) For preparing, transcribing or certifying any instrument on file or of record in his office, with or without seal, for the first page or portion thereof, a fee of two dollars, and for each additional page or portion thereof, a fee of one dollar. For authenticating or exemplifying any instrument, a fee of one dollar for each additional seal affixed.

(8) For executing a certificate, with or without a seal, a fee of two dollars shall be charged.
 (9) For each garnishee defendant named in an affidavit for garnishment and for each writ of attachment, a fee of five dollars shall be charged.

(10) For approving a bond, including justification thereon, in other than civil actions and probate proceedings, a fee of two dollars shall be charged.

(11) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first paper therein, a fee of seventy dollars: PROVIDED, HOWEVER, A fee of two dollars shall be charged for filing a will only, when no probate of the will is contemplated.

(12) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, there shall be paid a fee of seventy dollars.

(13) For the issuance of each certificate of qualification and each certified copy of letters of administration, letters testamentary or letters of guardianship there shall be a fee of two dollars.

(14) For the preparation of a passport application there shall be a fee of four dollars.

(15) For searching records for which a written report is issued there shall be a fee of eight dollars per hour.

(16) Upon conviction or plea of guilty or upon failure to prosecute his appeal from a lower court as provided by law, a defendant in a criminal case shall be liable for a fee of seventy dollars.

(17) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972: PROVIDED, That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(18) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.36.010 or for forms and instructional brochures provided under section 4 of this 1984 act.

NEW SECTION. Sec. 30. Sections 1 through 17 of this act shall constitute a new chapter in Title 26 RCW.

NEW SECTION. Sec. 31. The administrator for the courts shall develop and prepare, in consultation with interested persons, the forms and instructional brochures required under section 4(3) of this act. These forms shall be distributed to and available for use by the court clerks before September 1, 1984.

NEW SECTION. Sec. 32. Sections 1 through 29 of this act shall take effect on September 1, 1984.

NEW SECTION. Sec. 33. 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."

Signed by Representatives Armstrong, Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative McMullen.

Passed to Committee on Rules for second reading.

February 17, 1984

ESSB 4576 Prime Sponsor, Committee on Education: Providing programs for educational excellence. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Pursuant to rules and regulations adopted by the superintendent of public instruction for the administration of this chapter, the superintendent of public instruction shall carry out a program for highly capable students. Such program may include conducting, coordinating and aiding in research (including pilot programs), disseminating information to local school districts, providing statewide staff development, and allocating to school districts supplementary funds for additional costs of district programs, as provided by section 3 of this 1984 act.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Local school districts may establish and operate, either separately or jointly, programs for highly capable students. Such authority shall include the right to employ and pay special instructors and to operate such programs jointly with a public institution of higher education. Local school districts which establish and operate programs for highly capable students shall adopt identification procedures and provide educational opportunities as follows:

(1) In accordance with rules and regulations adopted by the superintendent of public instruction, school districts shall implement procedures for nomination, assessment and selection of their most highly capable students. Nominations shall be based upon data from teachers.

other staff, and parents as well as individual intelligence tests. Assessment shall be based upon a review of each student's capability as shown by multiple criteria intended to reveal, from a wide variety of sources and data, each student's unique needs and capabilities. Selection shall be made by a broadly based committee of professionals, after consideration of the results of the multiple criteria assessment.

(2) Students selected pursuant to procedures outlined in this section shall be provided, to the extent feasible, an educational opportunity which takes into account each student's unique needs and capabilities and the limits of the resources and program options available to the district, including those options which can be developed or provided by using funds allocated by the superintendent of public instruction for that purpose.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Supplementary funds as may be provided by the state for this program, in accordance with RCW 28A.41.162, shall be categorical funding on an excess cost basis based upon a per student amount not to exceed three percent of any district's full-time equivalent enrollment.

NEW SECTION. Sec. 4. The following acts or parts of acts are each repealed:

(1) Section 28A.16.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.010;

(2) Section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; and

(3) Section 28A.16.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.030.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction shall develop procedures and grant funds to school districts for the operation of exemplary programs such as those in the national diffusion network, with special attention to dropout prevention, effective schools, and effective teaching practices.

NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW a new section to read as follows:

(1) The superintendent of public instruction shall establish an annual teacher excellence award program for teachers in diverse grades or subject areas. Not more than one award per educational service district may be granted in any school year.

(2) The awards shall include:

(a) Certificates presented by the governor and the superintendent of public instruction at public ceremonies in appropriate locations; and

(b) Waiver of tuition and fees under section 7 of this act.

NEW SECTION. Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

Teachers who have received a teacher excellence award under section 6 of this act shall have the tuition and fees waived at any state institution of higher education for eighteen quarter hours or twelve semester hours taken within three years after the award was received.

Sec. 8. Section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284 are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of ~~((computers, computer components, computer accessories, or computer software))~~ tangible personal property irrevocably donated to and accepted by any public or private nonprofit school or ~~((college))~~ institution of higher education, as defined under chapter 84.36 RCW, in this state. ~~((For purposes of this section, "computer" means a data processor that can perform substantial computation, including numerous arithmetic or logic operations, without intervention by a human operator during the run.))~~

NEW SECTION. Sec. 9. There is appropriated from the general fund to the superintendent of public instruction for the remainder of the 1983-85 biennium the sum of three hundred thousand dollars or so much thereof as may be necessary to allocate grants to school districts as authorized in section 5 of this act.

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."

On page 1, line 1 of the title, after "education," strike the remainder of the title and insert "amending section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 28A.16.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.010; repealing section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; repealing section 28A.16.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.030; and making an appropriation."

Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Dickie, Holland, Johnson, Long, Schoon, Taylor and Todd.

Voting nay: Representatives Ebersole, Egger, Fuhrman, Haugen, Heck and Rust.

Referred to Committee on Ways & Means.

February 16, 1984

SSB 4578 Prime Sponsor, Committee on Parks & Ecology: Revising certain boating safety provisions. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21, after "damaged" insert ": PROVIDED, That this requirement shall not apply to operators of vessels when they are participating in an organized competitive event covered by a permit issued by the United States coast guard"

On page 3, line 18, after "squadron" strike "and" and insert "(and)."

On page 3, line 19, after "auxiliary" insert ", and boating clubs, associations, and foundations"

On page 4, after line 8 insert the following:

NEW SECTION, Sec. 5. There is added to chapter 43.51 RCW a new section to read as follows:

(1) There is created in the Washington state parks and recreation commission a boating advisory committee composed of seven members who have experience with either boating operation, boat safety, boat law enforcement, or recreational boating.

(2) The advisory committee shall consist of:

- (a) One member who is an owner of a sailing vessel;
- (b) One member who is an owner of a vessel not powered by machinery;
- (c) One member who is an owner of a vessel powered by outboard machinery;
- (d) One member who is an owner of a vessel powered by inboard machinery;
- (e) One member who represents vessel manufacturing, sales, or services industries;
- (f) One member who represents the Washington state association of counties; and
- (g) One member who represents the United States coast guard.

(3) The members of the advisory committee listed in subsection (2) (a), (b), (c), (d), and (e) of this section shall be appointed by the commission for terms of three years, which begin on July 1st of the year of appointment, or until a successor is appointed, except in the case of appointments to fill vacancies for which the terms shall be for the remainder of the unexpired term: PROVIDED, That for the first members appointed, one shall be appointed for a term of one year; three shall be appointed for a term of two years; and three shall be appointed for a term of three years. None of these members may be appointed for more than two consecutive terms.

(4) The members of the advisory committee listed in subsection (2) (f) and (g) of this section shall be appointed by the organization which each represents.

(5) The members of the advisory committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Reimbursement for travel expenses shall not render these advisory committee members employees or officials of the state of Washington for any purpose.

(6) A representative of the commission shall serve as recording secretary to the advisory committee.

NEW SECTION, Sec. 6. There is added to chapter 43.51 RCW a new section to read as follows:

The advisory committee shall:

- (1) Assist and advise the commission on its administration of this chapter;
- (2) Select by a majority vote from among its members a chairperson who shall serve for a period of one year;
- (3) Meet not less than twice each year and additionally upon request of the commission, the chairperson of the advisory committee, or a majority of the advisory committee members; and
- (4) Conduct at least one meeting a year coincident with a meeting of the commission and provide the commission with an annual report on the activities of the advisory committee.

NEW SECTION, Sec. 7. The advisory committee created under section 5 of this 1984 act shall cease to exist on June 30, 1988, unless extended by law for an additional fixed period of time.

NEW SECTION, Sec. 8. There is appropriated to the state parks and recreation commission from the general fund, for the biennium ending June 30, 1985, the sum of seven thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of this act. Renumber the sections consecutively.

On page 1, line 5 of the title, strike "a new section" and insert "new sections"

On page 1, line 6 of the title, after "43.51 RCW," insert "creating a new section; making an appropriation;"

Signed by Representatives Rust, Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lewis, Patrick, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Fisher, Vice Chair; Clayton and Lux.

Passed to Committee on Rules for second reading.

February 16, 1984

ESB 4607 Prime Sponsor, Senator Hughes: Authorizing procedures to dispose of hazardous wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 13 after "wastes" insert ", as defined in this chapter."

On page 2, line 23 strike "(2)" and insert "(3)"

Signed by Representatives Rust, Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lewis, Lux, Patrick, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Fisher, Vice Chair; Clayton and Lewis.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4628 Prime Sponsor, Committee on Local Government: Authorizing vacancies in sheriffs' offices to be filled by laid-off employees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 4, insert the following:

"Sec. 1. Section 12, chapter 1, Laws of 1959 as last amended by section 1, chapter 133, Laws of 1982 and RCW 41.14.120 are each amended to read as follows:

No person in the classified civil service who has been permanently appointed or inducted into civil service under provisions of this chapter, shall be removed, suspended, ~~((or)) demoted, or discharged~~ except for cause, and only upon written accusation of the appointing power or any citizen or taxpayer; a written statement of which accusation, in general terms, shall be served upon the accused, and a duplicate filed with the commission. Any person so removed, suspended, discharged, or demoted may within ten days from the time of his removal, suspension, discharge, or demotion file with the commission a written demand for an investigation, whereupon the commission shall conduct such investigation. Upon receipt of the written demand for an investigation, the commission shall within ten days set a date for a public hearing which will be held within thirty days from the date of receipt. The investigation shall be confined to the determination of the question of whether the removal, suspension, ~~((or)) demotion, or discharge~~ was made in good faith for cause. After such investigation the commission shall render a written decision within ten days and may affirm the removal, suspension, demotion, or discharge, or if it finds that removal, suspension, ~~((or)) demotion, or discharge~~ was not made in good faith for cause, shall order the immediate reinstatement or reemployment of such person in the office, place, position, or employment from which he was removed, suspended, ~~((or)) demoted, or discharged~~, which reinstatement shall, if the commission so provides, be retroactive, and entitle such person to pay or compensation from the time of the removal, suspension, ~~((or)) demotion, or discharge~~. The commission upon such investigation, in lieu of affirming a removal, suspension, demotion, or discharge, may modify the order by directing the removal, suspension, demotion, or discharge without pay, for a given period, and subsequent restoration to duty, or demotion in classification, grade, or pay. The findings of the commission shall be certified, in writing to the appointing power, and shall be forthwith enforced by such officer.

All investigations made by the commission pursuant to this section shall be by public hearing, after reasonable notice to the accused of the time and place thereof, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his defense. If order of removal, suspension, ~~((or)) demotion, or discharge~~ is concurred in by the commission or a majority thereof, the accused may appeal therefrom to the superior court of the county wherein he resides. Such appeal shall be taken by serving the commission, within thirty days after the entry of its order, a written notice of appeal, stating the grounds thereof, and demanding that a certified transcript of the record and of all papers on file in the office of the commission affecting or relating to its order, be filed by the commission with the court. The commission shall, within ten days after the filing of the notice, make, certify, and file such transcript with the court. The court shall thereupon proceed to hear and determine the appeal in a summary manner. Such hearing shall be confined to the determination of whether the order of removal, suspension, ~~((or)) demotion, or discharge~~ made by the commission, was or was not made in good faith for cause, and no appeal shall be taken except upon such ground or grounds. The decision of the superior court may be appealed to the supreme court or the court of appeals."

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

On page 1, line 2 of the title after "sheriffs;" insert "amending section 12, chapter 1, Laws of 1959 as last amended by section 1, chapter 133, Laws of 1982 and RCW 41.14.120;"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Garrett, Grimm, Hine, Isaacson, Smitherman and Van Luven.

Voting nay: Representatives Brough, Egger and Van Dyken.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4722 Prime Sponsor, Committee on Local Government: Modifying the qualifications for the office of county sheriff. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Van Dyken and Van Luven.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 16, 1984

ESSB 4775 Prime Sponsor, Committee on Parks & Ecology: Establishing the parkland acquisition account. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Allen, Brekke, Burns, Dellwo, Hankins, Jacobsen, Lewis, Lux, Patrick, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Fisher, Vice Chair; Clayton and Lewis.

Passed to Committee on Rules for second reading.

February 16, 1984

SSB 4788 Prime Sponsor, Committee on Parks & Ecology: Authorizing the creation of habitat buffer zone to protect endangered and threatened species. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Brekke, Burns, Dellwo, Hankins, Jacobsen, Lewis, Patrick, Van Dyken and J. Williams.

Voting nay: Representatives Allen and Pruitt.

Absent: Representatives Fisher, Vice Chair; Clayton and Lux.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-137, by Representatives Long, Betrozoff, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Tracie Ruiz, Bothell, and Candy Costie, Kenmore, have won critical acclaim for their distinguished talents as the world's best synchronized swimmers; and

WHEREAS, These two dynamic Washington women have achieved greatness in a decade of devotion to swimming that has made their coach, Charlotte Davis, the Seattle Aqua Club (of which they are members), their home communities, and the entire state very proud; and

WHEREAS, Tracie and Candy met as swimming competitors when they were ten years old, became a team when they were twelve and became National Junior Olympic Champions when they were thirteen; and

WHEREAS, Tracie and Candy won a United States Junior National duet championship in 1979; and

WHEREAS, The splendid duo was selected as one of two United States teams to compete in the 1980 American Cup, an international competition of the highest order; and

WHEREAS, They scored higher than any other duet with the exception of the top United States team; and

WHEREAS, Miss Ruiz and Miss Costie won the United States Senior National Championship in synchronized swimming in 1981, the National Team Trials in 1982, and the National Sports Festival championship in 1983; and

WHEREAS, This amazing team won gold medals in the 1981 Pan Pacific Championships, the 1982 Moscow Invitational in the Soviet Union, and the American Cup and Pan Am Games in 1983; and

WHEREAS, Miss Ruiz and Miss Costie have lost only once in all of their major international competitions; and

WHEREAS, Synchronized swimming is a most difficult sport with its essence to look identical in every body movement, in every head turn and arm and finger angle; and

WHEREAS, The sport was only recently included as an Olympic sport by the International Olympic Committee; and

WHEREAS, These two terrific Washingtonians have postponed their college educations to prepare for the February 25, 1984 United States National Team Trials in Tucson, Arizona, and the final Olympic Team Trials in April in Indianapolis, Indiana; and

WHEREAS, They are preparing to compete for gold medals in the 1984 Summer Olympics to be held in Los Angeles;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate Tracie Ruiz and Candy Costie on their outstanding achievements in the sport of synchronized swimming; and

BE IT FURTHER RESOLVED, That this House extends its best wishes to Tracie Ruiz and Candy Costie in their pursuit of Olympic gold; and

BE IT FURTHER RESOLVED, That this House believes these two fine competitors will win Olympic Gold Medals this summer in Los Angeles. To you, Tracie and

Candy, the members of the Washington House of Representatives say: GO FOR THE GOLD!; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Tracie Ruiz and Candy Costie.

On motion of Ms. Long, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84,138, by Representatives Ellis, Lewis, Dickie, Clayton and Sanders

WHEREAS, Bonnie Dunbar has been chosen by the National Aeronautics and Space Administration to be a crew member of the fourth Spacelab expedition to take place in September, 1985; and

WHEREAS, Bonnie Dunbar, a native of the State of Washington and the City of Sunnyside, has brought honor to her family, her community, and her state; and

WHEREAS, Bonnie Dunbar graduated with a degree in ceramic engineering from the University of Washington, and also holds a Doctorate in biomedicine from the University of Houston; and

WHEREAS, Bonnie Dunbar received an Engineer of the Year Award from Rockwell International for her work on the ceramic tile now used on the Space Shuttle; and

WHEREAS, Bonnie Dunbar, who will be the only woman among the eight member crew, has contributed to the advancement of the role that women will continue to play in scientific achievement and space exploration;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Bonnie Dunbar be recognized and honored for her contributions to the United States and to all humanity in the exploration of space and the scientific fields of materials processing and life science; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Bonnie Dunbar and her family.

Ms. Ellis moved adoption of the resolution. Representatives Ellis and Dickie spoke in favor of the resolution, and it was adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1435.

MOTIONS

On motion of Mr. Heck, SENATE BILL NO. 4403 was rereferred from Committee on Social & Health Services to Committee on Ways & Means.

On motion of Mr. Heck, the House reverted to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 4561, by Committee on State Government (originally sponsored by Senators Thompson and Fuller; by Governor Spellman request)

Modifying emergency services provisions.

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

Representatives Vekich and B. Williams spoke in favor of passage of the bill, and Representatives Isaacson, Bond and Barnes spoke against it.

Mr. Vekich spoke again in favor of the bill, and Mr. Isaacson again opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate bill No. 4561, and the bill passed the House by the following vote: Yeas, 55; nays, 38; absent, 2; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Rust,

Sayan, Scott, Smith L. Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Williams B. Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Isaacson, Long, Miller, Mitchell, Nealey, Nelson G. Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson - 38.

Absent: Representatives Belcher, Hastings - 2.

Excused: Representatives Kaiser, Niemi, Wang - 3.

Substitute Senate Bill No. 4561, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Kaiser and Taylor, who were excused.

MESSAGE FROM THE SENATE

February 20, 1984

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 713,
 SUBSTITUTE HOUSE BILL NO. 791,
 SUBSTITUTE HOUSE BILL NO. 1101,
 HOUSE BILL NO. 1107,
 HOUSE BILL NO. 1108,
 HOUSE BILL NO. 1110,
 SUBSTITUTE HOUSE BILL NO. 1188,
 SUBSTITUTE HOUSE BILL NO. 1418,
 SUBSTITUTE HOUSE BILL NO. 1435,
 HOUSE JOINT MEMORIAL NO. 33,
 SENATE BILL NO. 4312,
 SENATE BILL NO. 4469,
 SENATE BILL NO. 4506,
 SUBSTITUTE SENATE BILL NO. 4620,
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 140,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

POINT OF PERSONAL PRIVILEGE

Mr. Van Luven: "Two hundred and fifty-two years ago this week, George Washington was born. If you wanted to sum up what kind of a person George Washington was, all you would have to say is that he was the only American to have a state named after him, not to mention the Nation's capital and countless other counties and cities across our country. Historians say that George Washington could have been king if he had wanted to be, but the fact that he settled for president helped make him a symbol of freedom, not just for Americans, but for people all over the world. We think of Washington as a model citizen, but for his time he was a radical both in beliefs and in action. The legends about young George Washington and the cherry tree and throwing a silver dollar across the Potomac were inventions of a 19th century biographer, but George Washington did a great many more important things than those.

"He was skilled in mathematics; was an excellent engineer and a surveyor. He helped design the layout of Washington, D.C. He commanded American forces in the French and Indian War and later in the American Revolution where he used strategies and tactics mostly unheard of for his time. The thing Washington was remembered for as a leader was that he was calm under fire. He was willing to take the heat. When you think of the problems that Washington had to face trying to win independence from the most powerful nation on earth and then holding the

new country together, our problems tend to pale a little. I think we should profit by following George Washington's examples. We should polish our personal skills, look for new approaches to problems and remain calm under fire. Happy Birthday, George Washington."

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 3379, by Senators Owen, Fuller, Vognild, Bender and Quigg
Providing group fishing permits for the handicapped and senior citizens.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Stratton spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate bill No. 3379, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Miller, Monohon, Schmidt, Van Dyken - 4.

Excused: Representatives Kaiser, Taylor - 2.

Senate Bill No. 3379, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. Hastings presiding) called the House to order.

MOTIONS

On motion of Mr. Heck, SENATE BILL NO. 4463 was rereferred from the second reading calendar to Committee on Rules.

On motion of Mr. Heck, the House was adjourned until 1:00 p.m., Tuesday, February 21, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTY-FOURTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, February 21, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Kaiser, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chad Ewing and Bob Aliverti. Prayer was offered by The Reverend Peter Mans of the Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

February 20, 1984

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1128,

HOUSE BILL NO. 1147,

SUBSTITUTE HOUSE BILL NO. 1210,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HCR 41 by Representatives Dellwo, Padden, Stratton, Fuhrman, Galloway, Miller, Appelwick, Van Luven, Nealey, L. Smith, C. Smith, P. King, Chandler, Smitherman, Betzoff, Egger, Schoon, Silver, Hastings, Johnson, Prince, Struthers, Mitchell, Long, Ballard, Barrett, Fiske, Holland, Broback, Patrick, Tilly, Brough, Cantu, Dickie, J. Williams, Bond and Taylor

Providing for a committee to study home schooling.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

February 20, 1984

E2SSB 3193 Prime Sponsor, Committee on Parks & Ecology: Modifying provisions of the Washington clean air act. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 61, chapter 238, Laws of 1967 as amended by section 1, chapter 176, Laws of 1973 1st ex. sess. and RCW 70.94.430 are each amended to read as follows:

Any person who violates any of the provisions of this chapter, or any ordinance, resolution, rule or regulation in force pursuant thereto (~~other than RCW 70.94.205~~) shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than ~~((two hundred fifty))~~ one thousand dollars, or by imprisonment for not more than ninety days, or by both fine and imprisonment for each separate violation. ~~((Each day upon which such violation occurs shall constitute a separate violation.))~~

Any person who willfully violates any of the provisions of this chapter or any ordinance, resolution, rule or regulation in force pursuant thereto shall be guilty of a gross misdemeanor. ~~((Each day upon which such willful violation occurs shall constitute a separate offense.))~~ Upon conviction the offender shall be punished by a fine of not less than one hundred dollars for each offense(:

~~Any person who willfully violates RCW 70.94.205 or any other provision of this act shall be guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars,))~~ or by imprisonment for a term of not more than one year or by both fine and imprisonment.

In case of a continuing violation, whether or not wilfully committed, each day's continuance shall be a separate and distinct violation.

Sec. 2. Section 53, chapter 168, Laws of 1969 ex. sess. as amended by section 2, chapter 176, Laws of 1973 1st ex. sess. and RCW 70.94.431 are each amended to read as follows:

(1) In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of chapter 70.94 RCW or any of the rules and regulations of the department or the board shall incur a penalty in the form of a fine in an amount not to exceed ((two hundred fifty) one thousand dollars per day for each violation. Each such violation shall be a separate and distinct offense, and in case of a continuing violation, each day's continuance shall be a separate and distinct violation. For the purposes of this subsection, the maximum daily fine imposed by a local board for violations of standards by a specific emissions unit is one thousand dollars.

(2) Further, the person is subject to a fine of up to five thousand dollars to be levied by the director of the department of ecology if requested by the board of a local authority or if the director determines that the penalty is needed for effective enforcement of this chapter. A local board shall not make such a request until notice of violation and compliance order procedures have been exhausted, if such procedures are applicable. For the purposes of this subsection, the maximum daily fine imposed by the department of ecology for violations of standards by a specific emissions unit is five thousand dollars.

(3) Each act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty. Except as provided in subsection (4) of this section, the penalty shall become due and payable when the person incurring the same receives a notice in writing from the director or his designee or the control officer of the authority or his designee describing the violation with reasonable particularity and advising such person that the penalty is due unless a request is made for a hearing to the hearings board as provided for in chapter 43.21B RCW. When a request is made for a hearing, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order affirming the penalty in whole or part. If the amount of such penalty is not paid to the department or the board within thirty days after it becomes due and payable, and a request for a hearing has not been made, the attorney general, upon the request of the director or his designee, or the attorney for the local authority, upon request of the board or control officer, shall bring an action to recover such penalty in the superior court of the county in which the violation occurred. All penalties recovered under this section by the state board shall be paid into the state treasury and credited to the general fund or, if recovered by the authority, shall be paid into the treasury of the authority and credited to its funds.

(4) If a penalty is levied under subsection (2) of this section, the director or the director's authorized delegate may, upon written application therefor received within fifteen days after the notice imposing any penalty is received by the person incurring the penalty, and when deemed in the best interest to carry out the purposes of this chapter, remit or mitigate any penalty provided in this section upon such terms as the director in the director's discretion deems proper, and may ascertain the facts upon all such applications in such manner and under such regulations as the director deems proper. The mitigation shall not affect or reduce the penalty imposed by the local board. Any person incurring any penalty under this section may appeal the same to the hearings board as provided in chapter 43.21B RCW. Appeals shall be filed within thirty days of receipt of notice imposing any penalty unless an application for remission or mitigation is made to the department. When an application for remission or mitigation is made, appeals shall be filed within thirty days of receipt of notice from the director or the director's authorized delegate setting forth the disposition of the application. Any penalty imposed under this section shall become due and payable thirty days after receipt of a notice imposing the same unless application for remission or mitigation is made or an appeal is filed. When an application for remission or mitigation is made, any penalty incurred under this section shall become due and payable thirty days after receipt of notice setting forth the disposition of the application unless an appeal is filed from the disposition. Whenever an appeal of any penalty incurred under this section is filed, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order confirming the penalty in whole or in part. If the amount of any penalty is not paid to the department within thirty days after it becomes due and payable, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any county in which the violator may do business, to recover the penalty. In all such actions the procedure and rules of evidence shall be the same as for an ordinary civil action except as otherwise provided in this chapter.

To secure the penalty incurred under this section, the state or the authority shall have a lien on any vessel used or operated in violation of this chapter which shall be enforced as provided in RCW 60.36.050.

In all actions brought in the superior court for the recovery of penalties hereunder, the procedure and rules of evidence shall be the same as in an ordinary civil action."

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lux, Pruitt and Van Dyken.

MINORITY recommendation: Do not pass. Signed by Representative Patrick.

Voting nay: Representatives Allen, Clayton, Hankins, Lewis, Patrick and J. Williams.

Passed to Committee on Rules for second reading.

February 16, 1984

ESSB 3415 Prime Sponsor, Committee on Parks & Ecology: Modifying guidelines on the use and management of state ground waters. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 5, strike all material through "system," on page 3, line 12

On page 1, after the enacting clause, insert the following:

"Sec. 1. Section 35.63.090, chapter 7, Laws of 1965 as amended by section 5, chapter 170, Laws of 1979 ex. sess. and RCW 35.63.090 are each amended to read as follows:

All regulations shall be worked out as parts of a comprehensive plan which each commission shall prepare for the physical and other generally advantageous development of the municipality and shall be designed, among other things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote a coordinated development of the unbuilt areas; to encourage the formation of neighborhood or community units; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; to encourage and protect access to direct sunlight for solar energy systems; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements, including protection of the quality and quantity of ground water used for public water supplies.

Sec. 2. Section 35A.63.061, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.061 are each amended to read as follows:

The comprehensive plan shall be in such form and of such scope as the code city's ordinance or charter may require. It may consist of a map or maps, diagrams, charts, reports and descriptive and explanatory text or other devices and materials to express, explain, or depict the elements of the plan; and it shall include a recommended plan, scheme, or design for each of the following elements:

(1) A land-use element that designates the proposed general distribution, general location, and extent of the uses of land. These uses may include, but are not limited to, agricultural, residential, commercial, industrial, recreational, educational, public, and other categories of public and private uses of land. The land-use element shall also include estimates of future population growth in, and statements of recommended standards of population density and building intensity for, the area covered by the comprehensive plan. The land use element shall also provide for protection of the quality and quantity of ground water used for public water supplies.

(2) A circulation element consisting of the general location, alignment, and extent of existing and proposed major thoroughfares, major transportation routes, and major terminal facilities, all of which shall be correlated with the land-use element of the comprehensive plan.

Sec. 3. Section 36.70.330, chapter 4, Laws of 1963 and RCW 36.70.330 are each amended to read as follows:

The comprehensive plan shall consist of a map or maps, and descriptive text covering objectives, principles and standards used to develop it, and shall include each of the following elements:

(1) A land use element which designates the proposed general distribution and general location and extent of the uses of land for agriculture, housing, commerce, industry, recreation, education, public buildings and lands, and other categories of public and private use of land, including a statement of the standards of population density and building intensity recommended for the various areas in the jurisdiction and estimates of future population growth in the area covered by the comprehensive plan, all correlated with the land use element of the comprehensive plan. The land use element shall also provide for protection of the quality and quantity of ground water used for public water supplies;

(2) A circulation element consisting of the general location, alignment and extent of major thoroughfares, major transportation routes, trunk utility lines, and major terminal facilities, all of which shall be correlated with the land use element of the comprehensive plan;

(3) Any supporting maps, diagrams, charts, descriptive material and reports necessary to explain and supplement the above elements.

NEW SECTION. Sec. 4. There is added to chapter 90.54 RCW a new section to read as follows:

The department of ecology may recommend land use management policy modifications it finds appropriate for the further protection of ground and surface water resources in this state. Such advisory recommendations may be made to other state regulatory agencies, local governments, water systems, and other appropriate bodies."

Renumber the remaining sections consecutively and correct internal references.

On page 3, line 15, after "of" insert "the quality of"

On page 1, line 1 of the title, after "water resources;" strike all material through "90.54.020;" on line 2

On page 1, line 2 of the title, after "90.54.020;" strike the remainder of the title and insert "amending section 35.63.090, chapter 7, Laws of 1965 as amended by section 5, chapter 170, Laws of 1979 ex. sess. and RCW 35.63.090; amending section 35A.63.061, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.061; amending section 36.70.330, chapter 4, Laws of 1963 and RCW 36.70.330; and adding new sections to chapter 90.54 RCW."

Signed by Representatives Rust, Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Patrick, Pruitt and Van Dyken

Voting nay: Representatives Hankins and J. Williams.

Absent: Representatives Fisher, Vice Chair; Clayton, Lewis and Lux.

Passed to Committee on Rules for second reading.

February 20, 1984

SSB 3620 Prime Sponsor, Committee on Parks & Ecology: Establishing a limit for registration fees for air contaminant sources. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representative Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 20, 1984

ESSB 3800 Prime Sponsor, Committee on Natural Resources: Modifying provisions relating to fishing licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 280, Laws of 1983 and RCW 77.32.230 are each amended to read as follows:

(1) A person sixty-five years of age or older who is an honorably discharged veteran of the United States armed forces having a service-connected disability and who has been a resident for five years may receive upon application a state hunting and fishing license free of charge.

(2) A person seventy years of age or older who has been a resident for ten years or a blind person or a physically handicapped person confined to a wheelchair may receive upon application a fishing license free of charge.

(3) A fishing license is not required for persons under the age of sixteen.

(4) Tags, permits, stamps, and punchcards required by this chapter shall be purchased separately by persons receiving a free license, except that persons under the age of sixteen shall be issued a steelhead punchcard free of charge.

(5) A blind person or a physically handicapped person confined to a wheelchair who has been issued a card for permanent disability under RCW 46.16.380 may use that card in the place of a fishing license unless tags, permits, stamps, or punchcards are required by this chapter.

NEW SECTION. Sec. 2. This act shall take effect on May 1, 1985."

On page 1, line 1 of the title, after "fishing licenses;" strike the remainder of the title and insert "amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 280, Laws of 1983 and RCW 77.32.230; and providing an effective date."

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Johnson, McClure, McMullen, Miller, Mitchell, Sayan, L. Smith, Sommers, Sutherland, Vekich and B. Williams.

Voting nay: Representative Isaacson.

Absent: Representatives Belcher, Fuhrman, P. King, Sanders and Tanner.

Passed to Committee on Rules for second reading.

February 20, 1984

ESSB 4329 Prime Sponsor, Committee on Agriculture: Providing for the management of the Milwaukee Road corridor. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The purpose of sections 2 through 5 and 6 through 10 of this act is to set forth the state's policy regarding the approximately two hundred thirteen-mile corridor of land purchased by the state from the Milwaukee Railroad Company under section 17(21), chapter 143, Laws of 1981.

NEW SECTION. Sec. 2. There is added to chapter 43.51 RCW a new section to read as follows:

Management control of the portion of the Milwaukee Road corridor, beginning at the western terminus near Easton and concluding at the western end of the tunnel located in the southeast corner of section 20, township 19 north, range 17 east, W.M., approximately twenty-five miles east of the western terminus, shall be transferred by the department of natural resources to the state parks and recreation commission at no cost to the commission.

NEW SECTION. Sec. 3. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall do the following with respect to the portion of the Milwaukee Road corridor under its control:

(1) Manage the corridor as a recreational trail except when closed under section 4 of this act:

(2) Close the corridor to hunting;

(3) Close the corridor to all motorized vehicles except: (a) Emergency or law enforcement vehicles; (b) vehicles necessary for access to utility lines; and (c) vehicles necessary for maintenance of the corridor, or construction of the trail;

(4) Comply with legally enforceable conditions contained in the deeds for the corridor;

(5) Control weeds under the applicable provisions of chapters 17.04, 17.06, 17.08, and 17.10 RCW; and

(6) Clean and maintain culverts.

NEW SECTION. Sec. 4. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission may do the following with respect to the portion of the Milwaukee Road corridor under its control:

(1) Enter into agreements to allow the realignment or modification of public roads, farm crossings, water conveyance facilities, and other utility crossings;

(2) Regulate activities and restrict uses, including, but not limited to, closing portions of the corridor to reduce fire danger or protect public safety;

(3) Place hazard warning signs and close hazardous structures;

(4) Renegotiate deed restrictions upon agreement with affected parties; and

(5) Approve and process the sale or exchange of lands or easements if such a sale or exchange will not adversely affect the recreational potential of the corridor.

NEW SECTION. Sec. 5. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall identify opportunities and encourage volunteer work, private contributions, and support from tax-exempt foundations to develop, operate, and maintain the recreation trail on the portion of the Milwaukee Road under its control.

NEW SECTION. Sec. 6. There is added to chapter 79.08 RCW a new section to read as follows:

The portion of the Milwaukee Road corridor from the western end of the tunnel located in the southeast corner of section 20, township 19 north, range 17 east, W.M., approximately twenty-five miles east of the western terminus, to the Idaho border purchased by the state shall be under the management and control of the department of natural resources.

NEW SECTION. Sec. 7. There is added to chapter 79.08 RCW a new section to read as follows:

The portion of the Milwaukee Road corridor under management and control of the department of natural resources shall be open to individuals or organized groups which obtain permits from the department of natural resources to travel the corridor for recreational purposes. The department of natural resources shall, for the purpose of issuing permits for corridor use, promulgate rules necessary for the orderly and safe use of the corridor and protection of adjoining landowners. Permit fees shall be established at a level that will cover costs of issuance. Upon request of abutting landowners, the department shall notify the landowners of permits issued for use of the corridor adjacent to their property.

NEW SECTION. Sec. 8. There is added to chapter 79.08 RCW a new section to read as follows:

The department of natural resources may do the following with respect to the portion of the Milwaukee Road corridor under its control:

- (1) Enter into agreements to allow the realignment or modification of public roads, farm crossings, water conveyance facilities, and other utility crossings;
- (2) Regulate activities and restrict uses, including, but not limited to, closing portions of the corridor to reduce fire danger or protect public safety in consultation with local legislative authorities or fire districts;
- (3) Place hazard warning signs and close hazardous structures; and
- (4) Renegotiate deed restrictions upon agreement with affected parties.

NEW SECTION. Sec. 9. There is added to chapter 79.08 RCW a new section to read as follows:

(1) The department of natural resources shall offer to lease, and shall subsequently lease if a reasonable offer is made, portions of the Milwaukee Road corridor under its control to the person who owns or controls the adjoining land for periods of up to ten years commencing with the effective date of this act. The lessee shall assume the responsibility for fire protection, weed control, and maintenance of water conveyance facilities and culverts. The leases shall follow standard department of natural resources leasing procedures, with the following exceptions:

(a) The lessee may restrict public access pursuant to section 7 and section 9(3) of this 1984 act.

(b) The right of renewal shall be to the current lessee if the lessee still owns or controls the adjoining lands.

(c) If two persons own or control opposite sides of the corridor, each person shall be eligible for equal portions of the available property.

(2) The department of natural resources has the authority to renew leases in existence on the effective date of this act.

(3) The leases shall contain a provision allowing the department of natural resources to issue permits to travel the corridor for recreational purposes.

(4) Unleased portions of the Milwaukee Road property under this section shall be managed by the department of natural resources. On these unleased portions, the department solely shall be responsible for weed control, culvert, bridge, and other necessary maintenance and fire protection services. The department shall place hazard warning signs and close hazardous structures on unleased portions and shall regulate activities and restrict uses, including closing the corridor during seasons of high fire danger.

NEW SECTION. Sec. 10. There is added to chapter 79.08 RCW a new section to read as follows:

The state, through the department of natural resources, shall reserve the right to terminate a lease entered into pursuant to section 9 of this act or modify authorized uses of the corridor for future recreation, transportation, or utility uses. If the state elects to terminate the lease, the state shall provide the lessee with a minimum of six months' notice.

NEW SECTION. Sec. 11. There is appropriated to the state parks and recreation commission for the biennium ending June 30, 1985, the sum of forty-nine thousand dollars, or so much thereof as may be necessary, from the general fund to carry out the purposes of sections 2 through 5 of this act.

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Lewis, Lux, Patrick, Pruitt, Van Dyken and J. Williams.

Voting nay: Representatives Clayton and Hankins.

Passed to Committee on Rules for second reading.

February 17, 1984

SB 4339 Prime Sponsor, Senator Peterson: Modifying tuition and fees for institutions of higher education. Reported by Committee on Rules

Referred to Committee on Ways & Means.

February 20, 1984

SSB 4367 Prime Sponsor, Committee on Natural Resources: Facilitating cooperative fish and wildlife enhancement projects. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Fiske, Fuhrman, Haugen, Isaacson, Johnson, McClure, McMullen, Miller, Mitchell, Sayan, L. Smith, Sommers, Sutherland, Vekich, B. Williams and Wilson.

Absent: Representatives Belcher, P. King, Sanders and Tanner.

Passed to Committee on Rules for second reading.

February 17, 1984

SB 4376 Prime Sponsor, Senator Bender: Authorizing distribution of municipal sales and use tax equalization funds to cities and towns incorporated since January 1, 1983. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 35, delete "This act applies" and insert "Sections 1 and 2 of this act apply"

On page 4, after line 7, insert the following:

"Sec. 5. Section 21, chapter 49, Laws of 1982 1st ex. sess. as amended by section 1, chapter 99, Laws of 1983 and RCW 82.14.200 are each amended 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.

The department of revenue shall establish a governmental price index as provided in this subsection. The base year for the index shall be the end of the third quarter of 1982. Prior to November 1, 1983, and prior to each November 1st thereafter, the department of revenue shall establish another index figure for the third quarter of that year. The department of revenue may use the implicit price deflators for state and local government purchases of goods and services calculated by the United States department of commerce to establish the governmental price index. Beginning on January 1, 1984, and each January 1st thereafter, the one hundred fifty thousand dollar base figure in this subsection shall be adjusted in direct proportion to the percentage change in the governmental price index from 1982 until the year before the adjustment. Distributions made under this subsection for 1984 and thereafter shall use this adjusted base amount figure.

(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) and (7) 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 (2) 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 (2) of this section, subject to the reduction under subsections (6) and (7) of this section. To qualify for the total distribution 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) Subsequent to the distributions under subsection ~~((3))~~ (4) 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))~~ fourth 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) and (7) 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))~~ (6) 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 subsections (3) ~~((or (4)))~~ through (5) of this section cannot be made because of this limitation, then distributions under subsections (3) ~~((or (4)))~~ through (5) of this section shall be reduced ratably among the qualifying counties.

~~((6))~~ (7) If inadequate revenues exist in the county sales and use tax equalization account to make the distributions under subsections (3) ~~((or (4)))~~ through (5) of this section, then the distributions under subsections (3) ~~((or (4)))~~ through (5) 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)))~~ through (5) of this section to the counties.

~~((7))~~ (8) 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))~~ (5) of this section, then the additional revenues shall be credited and transferred to the state general fund.

Sec. 6. Section 4, chapter 49, Laws of 1982 1st ex. sess. as amended by section 5, chapter 99, Laws of 1983 and RCW 35.21.870 are each amended to read as follows:

(1) No city or town may impose a tax on the privilege of conducting an electrical energy, natural gas, steam energy, or telephone business at a rate which exceeds six percent unless the rate is first approved by a majority of the voters of the city or town voting on such a 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 April 20, 1982, the city or town shall decrease the rate to a rate of six percent or less by reducing the rate each year on or before November 1st by ordinances to be effective on January 1st of the succeeding year, by an amount equal to one-tenth the difference between the tax rate on April 20, 1982, and six percent.

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."

Renumber the remaining sections.

On page 1, line 1 of the title, after "government;" insert "amending section 21, chapter 49, Laws of 1982 1st ex. sess. as amended by section 1, chapter 99, Laws of 1983 and RCW 82.14.200; amending section 4, chapter 49, Laws of 1982 1st ex. sess. as amended by section 5, chapter 99, Laws of 1983 and RCW 35.21.870;"

Signed by Representatives Moon, Chair; Allen, Ballard, Broback, Brough, Chandler, Charney, Ebersole, Egger, Garrett, Grimm, Isaacson and Van Luven.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 17, 1984

SSB 4711 Prime Sponsor, Committee on Local Government: Modifying and reorganizing provisions related to fire protection districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 11, beginning on line 9 strike ")) action of the board ((:))" and insert "board:)) action of the county legislative authority"

On page 14, line 5 strike "taxes" and insert "((taxes)) assessments"

On page 24, beginning on line 25 strike all of section 43 and renumber the following sections consecutively.

On page 26, beginning on line 2 strike all of sections 45, 46, 47 and 48 and renumber the following sections consecutively.

On page 38, beginning on line 33 strike sections 71, 72 and 73 and renumber the following sections consecutively.

On page 56, line 23 beginning with "The" strike all the material down to and including "(2)" on line 27

On page 56, line 28 after "52.36.095" insert "are each repealed"

On page 2, line 27 of the title beginning with "amending" strike all the material down to and including "52.16.061;" on line 29 and on page 2, line 31 of the title beginning with "amending" strike all of the material down to and including "52.16.120;" on page 3, line 2

On page 4, beginning on line 21 of the title strike "adding new sections to chapter 52.12 RCW;"

On page 4, line 27 of the title beginning with "repealing" strike all the material down to and including "52.22.030:" on line 28

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Van Dyken and Van Luven.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 20, 1984

SSB 4758 Prime Sponsor, Committee on Commerce & Labor: Modifying the regulation of the alcohol content of certain candy, food, and wine. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Barrett, Braddock, Brough, Ellis, Halsan, Haugen, Holland, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk, B. Williams, and Wilson.

Absent: Representatives Appelwick, Ebersole and Kaiser.

Passed to Committee on Rules for second reading.

February 20, 1984

SSB 4849 Prime Sponsor, Committee on Commerce & Labor: Establishing the honorary commercial attache' program. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Barrett, Braddock, Brough, Ellis, Halsan, Haugen, Niemi, Powers, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken and Walk.

Voting nay: Representatives Holland, Padden, Schmidt, Schoon, B. Williams and Wilson.

Absent: Representatives Appelwick, Ebersole and Kaiser.

Passed to Committee on Rules for second reading.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 4312,

SENATE BILL NO. 4469,

SENATE BILL NO. 4506,

SUBSTITUTE SENATE BILL NO. 4620,

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 140.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-128, by Representatives Tanner and L. Smith

WHEREAS, The Ridgefield High School girls' volleyball team is the 1983 State Class A champion; and

WHEREAS, The Spudders have never been defeated and have won one hundred nineteen straight volleyball matches in the Trico League; and

WHEREAS, The Spudders have appeared in the State Class A tournament for nine straight years; and

WHEREAS, The Spudders have accumulated three first place, three second place, and two fourth place finishes in the State Class A tournaments; and

WHEREAS, The 1983 Spudders' volleyball team has continued the tradition of excellence and success begun at Ridgefield; and

WHEREAS, The 1983 Ridgetfield girls' volleyball team distinguished itself by the character of its team members built upon a positive attitude, team work, and the willingness of team members to make personal sacrifices for one another;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor the Ridgetfield High School girls' volleyball team; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Terri Weishaar, Head Coach of the Spuders; Assistant Coach Judy Bochart; Managers Donna Noble and Shelly Webberley; and team members Cheri Chapelle, Cathy Doriot, Cathy Fletcher, Betsy Frumentti, Andrea Marthaller, Lisa Maxwell, Susie Ryf, Barbara Shields, Cathy Shields, Cathy Stephenson, Debbie Warner and Dawn Woodward.

Ms. L. Smith moved adoption of the resolution. Representatives L. Smith and Tanner spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1471, by Representatives Grimm, Hine and Sommers

Providing a timber excise tax rate.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 1471 was substituted for House Bill No. 1471, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill no. 1471 was read the second time.

Mr. Halsan moved adoption of the following amendment by Representatives Halsan and Tilly:

On page 1, strike all of lines 9 through 17 and insert the following:

"(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 between July 1, 1983, through June 30, 1984, for sale or for commercial or industrial use multiplied by the rate of six and one-half percent.) A tax is imposed on every person engaging in this state in business as a harvester of timber on privately or publicly owned land. 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 July 1, 1984, through June 30, 1985, six and one-half percent;

(b) For timber harvested July 1, 1985, through June 30, 1986, five and three-quarters percent;

(c) For timber harvested June 30, 1986, and thereafter, five percent."

Representatives Halsan, Broback, Vander Stoep and Tilly spoke in favor of the amendment, and Representatives Grimm, Sommers, Moon, Sayan, Appelwick, Vekich and Lux spoke against it.

Mr. Halsan spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Halsan and Tilly to Substitute House Bill No. 1471, and the amendment was adopted by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 53.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 44.

Excused: Representative Kaiser - 1.

MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Wednesday, February 22, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 22, 1984

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Clayton and Kaiser, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Janine Pedersen and John Douthitt. Prayer was offered by The Reverend Peter Mans of the Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 21, 1984

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 145,
- SUBSTITUTE HOUSE BILL NO. 827,
- SUBSTITUTE HOUSE BILL NO. 1118,
- HOUSE BILL NO. 1120,
- HOUSE BILL NO. 1166,
- ENGROSSED HOUSE BILL NO. 1192,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1302,
- SUBSTITUTE HOUSE BILL NO. 1334,
- SUBSTITUTE HOUSE BILL NO. 1390,
- HOUSE BILL NO. 1416,
- HOUSE JOINT MEMORIAL NO. 30,
- HOUSE CONCURRENT RESOLUTION NO. 34,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4831,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 21, 1984

Mr. Speaker:

The Present has signed:

- SENATE BILL NO. 3379,
- SUBSTITUTE SENATE BILL NO. 4561,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

- SUBSTITUTE HOUSE BILL NO. 145,
- SUBSTITUTE HOUSE BILL NO. 827,
- SUBSTITUTE HOUSE BILL NO. 1118,
- HOUSE BILL NO. 1120,
- HOUSE BILL NO. 1128,
- HOUSE BILL NO. 1147,
- HOUSE BILL NO. 1166,
- HOUSE BILL NO. 1192,
- SUBSTITUTE HOUSE BILL NO. 1210,
- SUBSTITUTE HOUSE BILL NO. 1302,
- SUBSTITUTE HOUSE BILL NO. 1334,
- SUBSTITUTE HOUSE BILL NO. 1390,
- HOUSE BILL NO. 1416,
- HOUSE JOINT MEMORIAL NO. 30,

HOUSE CONCURRENT RESOLUTION NO. 34,
 SENATE BILL NO. 3379,
 SUBSTITUTE SENATE BILL NO. 4561.

INTRODUCTIONS AND FIRST READING

HCR 42 by Representatives Smitherman, Barrett, Braddock, Broback and Zellinsky

Establishing a joint select committee to study underground water resources in Washington state.

Referred to Committee on Rules

E2SSB 4831 by Committee on Ways & Means (originally sponsored by Senators Talmadge, Kiskaddon, Hughes, Bluechel, Rasmussen, Williams, Pullen, Wojahn, Goltz, Bender, Hurley, Hemstad, Fuller and Zimmerman)

Establishing a program for disclosure of information regarding hazardous substances in the workplace.

Referred to Committee on Environmental Affairs

REPORTS OF STANDING COMMITTEES

February 21, 1984

ESB 3117 Prime Sponsor, Senator Thompson: Regulating substances containing toxic vapors or fumes. Reported by Committee on Judiciary.

MAJORITY recommendation: Do Pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representatives Crane and G. Nelson.

Passed to Committee on Rules for second reading.

February 20, 1984

ESSB 3133 Prime Sponsor, Committee on Transportation: Modifying provisions relating to pilotage and pilot liability. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, Mitchell, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams and Wilson.

Absent: Representatives Betrozoff and Zellinsky.

Passed to Committee on Rules for second reading.

February 20, 1984

ESSB 3758 Prime Sponsor, Committee on Transportation: Regulating excursion service companies. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 26 after "state" strike "between" and insert "from"

On page 2, line 28 after "commission," strike all the material down to and including "origin" on line 29 and insert "to any other location within the state of Washington and returning to that origin"

On page 2, line 30 after "passengers" strike all the material down to and including "vehicle" on line 31 and insert "after leaving and before returning to the area of origin"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betrozoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, J. Williams and Wilson.

Absent: Representatives Fisch and Zellinsky.

Passed to Committee on Rules for second reading.

February 20, 1984

SSB 4050 Prime Sponsor, Committee on Transportation: Exempting legal messengers from regulation by the utilities and transportation commission. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13 after "(8)" strike all material through "services" on line 16 and insert "Motor vehicles of less than 8,000 pounds gross vehicle weight when transporting exclusively legal documents, pleadings, process, correspondence, depositions, briefs, medical records, photographs, books or papers, cash or checks, when moving shipments of the documents described at the direction of an attorney as part of providing legal services"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, J. Williams and Wilson.

Absent: Representatives Locke and Zellinsky.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 4110 Prime Sponsor, Committee on Commerce & Labor: Modifying various provisions regarding cemeteries. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Kaiser, R. King, Lux and Taylor.

Passed to Committee on Rules for second reading.

February 20, 1984

SSB 4343 Prime Sponsor, Committee on Transportation: Revising restrictions on state highway work by state forces. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 after "dollars" strike all material through "dollars" on line 24

On page 2, line 32 strike "or in close sequence"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Patrick, Powers, Prince, C. Smith, Van Luven, Vekich and J. Williams.

Voting nay: Representatives Hankins, Schmidt and Wilson.

Absent: Representative Zellinsky.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4371 Prime Sponsor, Senator Talmadge: Deleting the requirement that executory contracts for the sale of real property be recorded. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Crane.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4388 Prime Sponsor, Senator Warnke: Changing provisions relating to the cashing of checks, drafts, and warrants by the state treasurer. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Walk and J. Williams.

Absent: Representatives Kaiser and R. King.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4415 Prime Sponsor, Senator Gaspard: Providing for standardized high school transcripts and high school diplomas. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 23 before "decision" insert "prospective employee's"

Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Dickie, Ebersole, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon, Taylor and Todd.

Absent: Representative Armstrong.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4439 Prime Sponsor, Senators Talmadge: Amending or repealing statutes superseded by court rule. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Crane.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4513 Prime Sponsor, Senator Clarke: Modifying provisions relating to corporations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Crane.

Passed to Committee on Rules for second reading.

February 20, 1984

ESB 4532 Prime Sponsor, Senator Goltz: Creating a state highway from Kendall to Sumas. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 102 is established as follows:

Beginning at the Washington Corrections Center, thence northeasterly to a junction of state route number 101 north of Shelton.

Before award of any construction contract for improvements to state route number 102 under either program A or program C, the department of transportation shall secure a portion of the construction cost from Mason county.

NEW SECTION, Sec. 2. There is added to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 547 is established as follows:

Beginning at the junction of state route number 542 in the vicinity of Kendall, thence north-westerly to a junction with state route number 9 at Sumas.

NEW SECTION. Sec. 3. There is added to chapter 47.17 RCW a new section to read as follows:

A state highway to be known as state route number 823 is established as follows:

Beginning at the junction of state route number 82 at the Selah interchange, thence north-erly to a junction with Fasset Avenue in Selah.

Before award of any construction contract for improvements to state route number 823 under either program A or program C, the department of transportation shall secure a portion of the construction cost from the city of Selah or Yakima county, or both.

NEW SECTION. Sec. 4. The state highway known as state route number 540, beginning at a junction with a Whatcom county road known as Haxton Way in the vicinity of the easterly boundary of Range 1, E.W.M., thence easterly to a junction with state route number 5 northwest of Bellingham, is transferred to Whatcom county as a county road.

NEW SECTION. Sec. 5. Section 159, chapter 51, Laws of 1970 ex. sess., section 21, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.790 are each repealed."

In line 1 of the title, after "adding" strike "a new section" and insert "new sections"

Signed by Representatives Walk, Chair; Egger, Vice Chair; Barrett, Burns, Clayton, Fisch, Fisher, Locke, McMullen, Patrick, Powers, Prince, C. Smith and Vekich.

Voting nay: Representatives Charnley, Garrett, Hankins, Patrick, Schmidt, Van Luven and J. Williams.

Absent: Representative Zellinsky.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4696 Prime Sponsor, Senator Lee: Establishing an equalized calculation formula for levies by certain school districts. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; Appelwick, Chandler, Dickie, Ebersole, Egger, Holland, Johnson, Long, Rust, Schoon, Taylor and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Arm- strong and Heck.

Voting nay: Representatives P. King, Vice Chair; Armstrong, Fuhrman, Haugen, Heck and Long.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-141, by Representatives Ellis, Lewis, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Phil and Steve Mahre of Yakima won a gold and silver medal respectively in the 1984 Winter Olympic Games Slalom ski race held in Sarajevo, Yugoslavia; and

WHEREAS, Phil and Steve Mahre are native sons of the State of Washington and the Yakima Valley who learned to ski at White Pass; and

WHEREAS, Phil and Steve Mahre have competed in three Winter Olympic Games and on the United States Alpine Ski Team for ten years; and

WHEREAS, During these ten years, Phil has won three consecutive overall World Cup Championships as well as a silver medal in the 1980 Winter Olympic Games, Steve was the 1982 World Champion in giant slalom, and both are winners of numerous individual races; and

WHEREAS, Phil and Steve Mahre, as the only brothers to have won Olympic gold and silver medals in the same event, exemplify the best there is in the world of sports by being strong individual competitors who put the loyalty and love of family above self-achievement, which is an attitude instilled in them by their parents, Dave and Mary Mahre; and

WHEREAS, The brilliant performances of Phil and Steve Mahre were outshined only by Phil's wife Holly, who gave birth to their second child at the same time Phil was racing;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Phil and Steve Mahre be recognized and honored for their contributions to the world of sport, and for the honor they have brought to their families, to the State of Washington, and to the United States of America; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Phil and Steve Mahre, their wives Holly and Debbie, and their parents, Dave and Mary Mahre.

Ms. Ellis moved adoption of the resolution. Representatives Ellis and Lewis spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1471, by Committee on Ways & Means (originally sponsored by Representatives Grimm, Hine and Sommers)

Providing a timber excise tax rate.

The House resumed consideration of the bill on second reading. (For previous action see yesterday's Journal.)

Mr. Braddock moved adoption of the following amendment by Representatives Braddock and McClure:

On page 2, line 2 after "section," insert "provided that for timber harvested from public land and sold under a competitive bidding process, stumpage value shall mean that actual amount paid to the seller in cash or other consideration. Whenever payment for the stumpage includes considerations other than cash, the value shall be the fair market value of the other consideration, provided that if the other consideration is permanent roads, the value of the roads shall be the appraised value as appraised by the seller."

Representatives Braddock and Halsan spoke in favor of the amendment, and it was adopted.

Mr. Halsan moved adoption of the following amendment by Representatives Halsan and Tilly:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The intent of the legislature in adopting this chapter is to provide a comprehensive timber tax system covering all timber harvests in the state and a simpler and more equitable timber tax distribution system. In achieving this intent, it was considered advisable to reenact the definition, imposition, distribution, and administration provisions in separate, shorter sections.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Composite property tax rate' for a county means the total amount of property taxes levied upon forest lands by all taxing districts in the county other than the state, divided by the total assessed value of all forest land in the county.

(2) 'Forest land' means forest land which is classified or designated forest land under chapter 84.33 RCW.

(3) 'Harvested' means the time when in the ordinary course of business the quantity of timber 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.

(4) 'Harvester' means every person who from the person's own land or from the 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. The term does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(5) 'Stumpage value of timber' means the appropriate stumpage value shown on tables prepared by the department of revenue under section 7 of this act.

(6) '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.

(7) 'Timber assessed value' for a county means a value, calculated by the department of revenue before October 1 of each year, equal to the total stumpage value of timber harvested from privately owned land in the county during the most recent four calendar quarters for which the information is available multiplied by a ratio. The numerator of the ratio is the rate of tax imposed by the county under section 4 of this act for the year of the calculation. The denominator of the ratio is the composite property tax rate for the county for taxes due in the year of the calculation, expressed as a percentage of assessed value.

(8) 'Timber assessed value' for a taxing district means the timber assessed value for the county multiplied by a ratio. The numerator of the ratio is the total assessed value of forest land in the taxing district. The denominator is the total assessed value of forest land in the county. As used in this section, 'assessed value of forest land' means the assessed value of forest land for taxes due in the year the timber assessed value for the county is calculated.

NEW SECTION. Sec. 3. (1) A tax is imposed on every person engaging in this state in business as a harvester of timber on privately or publicly owned land. 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 July 1, 1984, through June 30, 1985, six and one-half percent;

(b) For timber harvested July 1, 1985, through June 30, 1986, five and three-quarters percent;

(c) For timber harvested June 30, 1986, and thereafter, five percent.

(2) A credit is allowed against the tax imposed under this section for any tax paid under section 4 of this act.

(3) Moneys received as payment for the tax imposed under this section and section 4 of this act shall be deposited in the timber tax distribution account hereby established in the state general fund.

(4) Timber on privately owned land or federally owned land shall be exempt from ad valorem taxation.

NEW SECTION. Sec. 4. (1) The legislative body of any county may impose a tax upon every person engaging in the county in business as a harvester effective October 1, 1984. The tax shall be equal to the stumpage value of timber harvested from privately owned land multiplied by a rate of four percent.

(2) Before the effective date of any ordinance imposing a tax under this section, the county shall contract with the department of revenue for administration and collection of the tax. The tax collected by the department of revenue under this section shall be deposited by the department in the timber tax distribution account. Moneys in the account may be spent only for distributions to counties and the state under section 5 of this act and, after appropriation by the legislature, for the activities undertaken by the department of revenue relating to the collection and administration of the taxes imposed under this section. Appropriations are not required for distributions to counties under section 5 of this act.

NEW SECTION. Sec. 5. (1) On the last business day of the second month of each calendar quarter, the state treasurer shall distribute from the timber tax distribution account to each county the amount of tax collected on behalf of each county under section 4 of this act, less each county's proportionate share of appropriations for collection and administration activities under section 4 of this act, and shall transfer to the state general fund the amount of tax collected on behalf of the state under section 3 of this act, less the state's proportionate share of appropriations for collection and administration activities under section 3 of this act. The county treasurer shall deposit moneys received under this section in a county timber tax account which shall be established by each county. Following receipt of moneys under this section, the county treasurer shall make distributions from any moneys available in the county timber tax account to taxing districts in the county, except the state, under subsections (2) through (4) of this section.

(2) From moneys available, there first shall be a distribution to each taxing district having debt service payments due during the calendar year, based upon bonds issued under authority of a vote of the people conducted pursuant to RCW 84.52.056 and based upon excess levies

for a capital project fund authorized pursuant to RCW 84.52.053, of an amount equal to the timber assessed value of the district multiplied by the tax rate levied for payment of the debt service and capital projects: PROVIDED, That in respect to levies for a debt service or capital project fund authorized before the effective date of this act, the amount allocated shall not be less than an amount equal to the same percentage of such debt service or capital project fund represented by timber tax allocations to such payments in calendar year 1984.

Distribution under this subsection (2) shall be used only for debt service and capital projects payments.

(3) From the moneys remaining after the distributions under subsection (2) of this section, the county treasurer shall distribute to each school district an amount equal to one-half of the timber assessed value of the district or eighty percent of the timber roll of such district in calendar year 1983 as determined under chapter 84.33 RCW, whichever is greater, multiplied by the tax rate, if any, levied by the district under RCW 84.52.052 or 84.52.053 for purposes other than debt service payments and capital projects supported under subsection (2) of this section.

(4) After the distributions directed under subsections (2) and (3) of this section, if any, each taxing district shall receive an amount equal to the timber assessed value of the district multiplied by the tax rate, if any, levied as a regular levy of the district or as a special levy not included in subsection (2) or (3) of this section.

(5) If there are insufficient moneys in the county timber tax account to make full distribution under subsection (4) of this section, the county treasurer shall multiply the amount to be distributed to each taxing district under that subsection by a fraction. The numerator of the fraction is the county timber tax account balance before making distribution under this subsection. The denominator of the fraction is the account balance which would be required to make full distribution under this subsection.

(6) After making the distributions under subsections (2) through (4) of this section in the full amount indicated for the calendar year, the county treasurer shall place any excess revenue up to twenty percent of the total distributions made for the year under subsections (2) through (4) of this section in a reserve status until the beginning of the next calendar year. Any moneys remaining in the county timber tax account after this amount is placed in reserve shall be distributed to each taxing district in the county in the same proportions as the distributions made under subsection (4) of this section.

NEW SECTION. Sec. 6. (1) The taxes imposed under this chapter shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments. Remittance shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrues. 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 tax for which the taxpayer is liable for the preceding quarterly period and shall sign and transmit the same to the department of revenue, together with a remittance for the amount of tax.

(2) The taxes imposed by this chapter are in addition to any taxes imposed upon the same persons under chapter 82.04 RCW.

(3) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter is 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. 7. (1) 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 these units. The stumpage value 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. These stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, 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 from:

(a) Gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities;

(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

(c) A combination of (a) and (b) of this subsection.

(2) 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 the stumpage value 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 the tax.

(3) The preliminary area designations and stumpage value tables and any revisions thereof are subject to review by the ways and means committees of the house of representatives and senate prior to finalization. Tables of stumpage values shall be signed by the director or the director's 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 for a copy.

(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.

NEW SECTION, Sec. 8. The state timber tax account A and state timber tax reserve account established in RCW 84.33.071 and the timber tax distribution guarantee account established in RCW 84.33.085 shall continue within the state general fund and state treasury, respectively, until all funds remaining therein after complying with subsections (4) and (5) of this section are distributed as follows:

(1) Any remaining timber tax moneys in the state timber tax account A and state timber tax reserve account shall be distributed in the following manner:

(a) Thirty-seven percent to the state general fund for use in support of the common schools.

(b) Subject to appropriation by the legislature, sixty-three percent to the counties of the state in the proportion the receipts of harvester excise tax from each county are to the total receipts of harvester excise tax from all counties in the state in calendar years 1982 and 1983.

(2) Any remaining timber tax moneys in the timber tax distribution guarantee account shall be distributed to the counties in the same proportions and percentages as provided for the state timber tax account A and the state timber tax reserve account on May 1, 1985.

(3) Distributions to the counties under authority of this section shall be deposited in the timber tax account of the counties and disbursed to taxing districts of each county in the same priority and as part of the distributions authorized by section 5 of this act.

(4) The taxes due and payable under RCW 84.33.071 with respect to timber harvested during the second and third quarters of calendar year 1984 shall be collected and deposited in the state treasury as though this act had not been enacted.

(5) The payments required to be made through November 20, 1984, by the state treasurer to the treasurer of each timber county under RCW 84.33.080 shall be made as though this act had not been enacted.

This section shall expire on January 1, 1986.

NEW SECTION, Sec. 9. All sections of chapter 82.32 RCW, except RCW 82.32.045 and 82.32.270, apply to the taxes imposed under this chapter.

Sec. 10. Section 84.52.080, chapter 15, Laws of 1961 as amended by section 1, chapter 7, Laws of 1965 ex. sess. and RCW 84.52.080 are each amended to read as follows:

(1) The county assessor shall extend the taxes upon the tax rolls in the form herein prescribed. The rate percent necessary to raise the amounts of taxes levied for state and county purposes, and for purposes of taxing districts coextensive with the county, shall be computed upon the assessed value of the property of the county; the rate percent necessary to raise the amount of taxes levied for any taxing district within the county shall be computed upon the assessed value of the property of the district; all taxes assessed against any property shall be added together and extended on the rolls in a column headed consolidated or total tax. In extending any tax, whenever it amounts to a fractional part of a cent greater than five mills it shall be made one cent, and whenever it amounts to five mills or less than five mills it shall be dropped. The amount of all taxes shall be entered in the proper columns, as shown by entering the rate percent necessary to raise the consolidated or total tax and the total tax assessed against the property.

(2) For the purpose of computing the rate necessary to raise the amount of any excess levy in a taxing district which has classified or designated forest land under chapter 84.33 RCW, other than the state, the county assessor shall add the district's timber assessed value, as defined in section 2 of this 1984 act, to the assessed value of the property: PROVIDED, That for school districts maintenance and operations levies only one-half of the district's timber assessed value shall be added.

(3) Upon the completion of such tax extension, it shall be the duty of the county assessor to make in each assessment book, tax roll or list a certificate in the following form:

I, _____, assessor of _____ county, state of Washington, do hereby certify that the foregoing is a correct list of taxes levied on the real and personal property in the county of _____ for the year one thousand nine hundred and _____.

Witness my hand this _____ day of _____, 19_____.

_____, County Assessor

(4) The county assessor shall deliver said tax rolls to the county treasurer on or before the fifteenth day of December, taking his receipt therefor, and at the same time the county assessor shall provide the county auditor with an abstract of the tax rolls showing the total amount of taxes collectible in each of the taxing districts.

Sec. 11. Section 1, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.015 are each amended to read as follows:

Whenever used in this 1970 amendatory act, the term 'value of the taxable property' shall mean the actual value of the taxable property in a taxing district incurring indebtedness, as the term 'taxing district' is defined in RCW 39.36.010, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness except that in incorporated cities the assessment shall be taken from the last assessment for city purposes, plus the timber assessed value for the district as defined in section 2 of this 1984 act.

Sec. 12. Section 2, chapter 146, Laws of 1981 and RCW 84.33.074 are each amended to read as follows:

(1) A small harvester may elect to calculate the tax imposed by ~~((RCW 84.33.074))~~ sections 3 and 4 of this 1984 act in the manner provided in this section.

(2) 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) Timber values shall be determined by either of the following methods, whichever is most appropriate to the circumstances of the harvest:

(a) When standing timber is sold on the stump, the taxable value is the actual gross receipts received by the landowner from the sale of the standing timber.

(b) When timber is sold after it has been harvested, the taxable value is the actual gross receipts from sale of the harvested timber minus the costs of harvesting and marketing the timber. When the taxpayer is unable to provide documented proof of harvesting and marketing costs, this deduction for harvesting and marketing costs shall be a percentage of the gross receipts from sale of the harvested timber as determined by the department of revenue but in no case less than twenty-five percent.

(4) The department of revenue shall prescribe a short filing form which shall be as simple as possible.

Sec. 13. Section 6, chapter 134, Laws of 1980 and RCW 84.33.075 are each amended to read as follows:

The excise tax imposed by ~~((RCW 84.33.074))~~ this chapter shall not apply to any timber harvested by a nonprofit organization, association, or corporation from forest lands owned by it, where such lands are exempt from property taxes under RCW 84.36.030, and where all of the income and receipts of the nonprofit organization, association, or corporation derived from such timber sales are used solely for the expense of promoting, operating, and maintaining youth programs which are equally available to all, regardless of race, color, national origin, ancestry, or religious belief.

In order to determine whether the harvesting of timber by a nonprofit organization, association, or corporation is exempt, the director of the department of revenue shall have access to its books.

For the purposes of this section, a 'nonprofit' organization, association, or corporation is one: (1) Which pays no part of its income directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the organization, association, or corporation in accordance with its purposes and bylaws; and (2) which pays salary or compensation to its officers only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the public services of the state.

Sec. 14. Section 8, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.077 are each amended to read as follows:

The amount of any property taxes paid on timber standing on public land shall be allowed as a credit against any tax imposed with respect to the business of harvesting timber from publicly owned land under ~~((RCW 84.33.074))~~ section 3 of this 1984 act. However, the amount of credit allowed shall not exceed the amount of excise tax due in respect to the business of harvesting timber from publicly owned land.

Sec. 15. Section 9, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.078 are each amended to read as follows:

When any timber standing on public land, other than federally owned land, is sold separate from the land, the department of natural resources or other governmental unit, as appropriate, shall provide each bidder with a written notice clearly stating that timber sold separate from the land is subject to property tax in 1984 and thereafter and that the amount of the tax paid may be used as a credit against any tax imposed with respect to business of harvesting timber from publicly owned land under ~~((RCW 84.33.074))~~ section 3 of this 1984 act.

Sec. 16. Section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 148, Laws of 1981 and RCW 84.33.120 are each amended to read as follows:

(1) In preparing the assessment rolls as of January 1, 1982, for taxes payable in 1983 and each January 1st thereafter, the assessor shall list each parcel of forest land at a value with respect to the grade and class provided in this subsection and adjusted as provided in subsection (2) of this section and shall compute the assessed value of the land by using the same assessment ratio he applies generally in computing the assessed value of other property in his county. Values for the several grades of bare forest land shall be as follows.

LAND GRADE	OPERABILITY CLASS	VALUES PER ACRE
1	1	\$141
	2	136
	3	131
	4	95
2	1	118
	2	114
	3	110
	4	80
3	1	93
	2	90
	3	87
	4	66
4	1	70
	2	68
	3	66
	4	52
5	1	51
	2	48
	3	46
	4	31
6	1	26
	2	25
	3	25
	4	23
7	1	12
	2	12
	3	11
	4	11
8		1

(2) On or before December 31, 1981, the department shall adjust, by rule under chapter 34.04 RCW, the forest land values contained in subsection (1) of this section in accordance with this subsection, and shall certify these adjusted values to the county assessor for his use in preparing the assessment rolls as of January 1, 1982. For the adjustment to be made on or before December 31, 1981, for use in the 1982 assessment year, the department shall:

(a) Divide the aggregate value of all timber harvested within the state between July 1, 1976, and June 30, 1981, by the aggregate harvest volume for the same period, as determined from the harvester excise tax returns filed with the department under RCW 82.04.291 and 84.33-.071; and

(b) Divide the aggregate value of all timber harvested within the state between July 1, 1975, and June 30, 1980, by the aggregate harvest volume for the same period, as determined from the harvester excise tax returns filed with the department under RCW 82.04.291 and 84.33-.071; and

(c) Adjust the forest land values contained in subsection (1) of this section by a percentage equal to one-half of the percentage change in the average values of harvested timber reflected by comparing the resultant values calculated under (a) and (b) of this subsection.

For the adjustments to be made on or before December 31, 1982, and each succeeding year thereafter, the same procedure shall be followed as described in this subsection utilizing harvester excise tax returns filed under RCW 82.04.291 and ((84-33-071-)) this chapter except that this adjustment shall be made to the prior year's adjusted value, and the five-year periods for calculating average harvested timber values shall be successively one year more recent.

(3) In preparing the assessment roll for 1972 and each year thereafter, the assessor shall enter as the true and fair value of each parcel of forest land the appropriate grade value certified to him by the department of revenue, and he shall compute the assessed value of such land by using the same assessment ratio he applies generally in computing the assessed value of other property in his county. In preparing the assessment roll for 1975 and each year thereafter, the assessor shall assess and value as classified forest land all forest land that is not then

designated pursuant to RCW 84.33.120(4) or 84.33.130 and shall make a notation of such classification upon the assessment and tax rolls. On or before January 15 of the first year in which such notation is made, the assessor shall mail notice by certified mail to the owner that such land has been classified as forest land and is subject to the compensating tax imposed by this section. If the owner desires not to have such land assessed and valued as classified forest land, he shall give the assessor written notice thereof on or before March 31 of such year and the assessor shall remove from the assessment and tax rolls the classification notation entered pursuant to this subsection, and shall thereafter assess and value such land in the manner provided by law other than this chapter 84.33 RCW.

(4) In any year commencing with 1972, an owner of land which is assessed and valued by the assessor other than pursuant to the procedures set forth in RCW 84.33.110 and this section, and which has, in the immediately preceding year, been assessed and valued by the assessor as forest land, may appeal to the county board of equalization by filing an application with the board in the manner prescribed in subsection (2) of RCW 84.33.130. The county board shall afford the applicant an opportunity to be heard if the application so requests and shall act upon the application in the manner prescribed in subsection (3) of RCW 84.33.130.

(5) Land that has been assessed and valued as classified forest land as of any year commencing with 1975 assessment year or earlier shall continue to be so assessed and valued until removal of classification by the assessor only upon the occurrence of one of the following events:

(a) Receipt of notice from the owner to remove such land from classification as forest land;
 (b) Sale or transfer to an ownership making such land exempt from ad valorem taxation;
 (c) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that, because of actions taken by the owner, such land is no longer primarily devoted to and used for growing and harvesting timber;

(d) Determination that a higher and better use exists for such land than growing and harvesting timber after giving the owner written notice and an opportunity to be heard;

(e) Sale or transfer of all or a portion of such land to a new owner, unless the new owner has signed a notice of forest land classification continuance. The signed notice of continuance shall be attached to the real estate excise tax affidavit provided for in RCW 82.45.120, as now or hereafter amended. The notice of continuance shall be on a form prepared by the department of revenue. If the notice of continuance is not signed by the new owner and attached to the real estate excise tax affidavit, all compensating taxes calculated pursuant to subsection (7) of this section shall become due and payable by the seller or transferor at time of sale. The county auditor shall not accept an instrument of conveyance of classified forest land for filing or recording unless the new owner has signed the notice of continuance or the compensating tax has been paid. The seller, transferor, or new owner may appeal the new assessed valuation calculated under subsection (7) of this section to the county board of equalization. Jurisdiction is hereby conferred on the county board of equalization to hear these appeals.

The assessor shall remove classification pursuant to subsections (c) or (d) above prior to September 30 of the year prior to the assessment year for which termination of classification is to be effective. Removal of classification as forest land upon occurrence of subsection (a), (b), (d), or (e) above shall apply only to the land affected, and upon occurrence of subsection (c) shall apply only to the actual area of land no longer primarily devoted to and used for growing and harvesting timber: PROVIDED, That any remaining classified forest land meets necessary definitions of forest land pursuant to RCW 84.33.100 as now or hereafter amended.

(6) Within thirty days after such removal of classification as forest land, the assessor shall notify the owner in writing setting forth the reasons for such removal. The owner of such land shall thereupon have the right to apply for designation of such land as forest land pursuant to subsection (4) of this section or RCW 84.33.130. The seller, transferor, or owner may appeal such removal to the county board of equalization.

(7) Unless the owner successfully applies for designation of such land or unless the removal is reversed on appeal, notation of removal from classification shall immediately be made upon the assessment and tax rolls, and commencing on January 1 of the year following the year in which the assessor made such notation, such land shall be assessed on the same basis as real property is assessed generally in that county. Except as provided in ((subsections)) subsections (5)(e) and (9) of this section and unless the assessor shall not have mailed notice of classification pursuant to subsection (3) of this section, a compensating tax shall be imposed which shall be due and payable to the county treasurer thirty days after the owner is notified of the amount of the compensating tax. As soon as possible, the assessor shall compute the amount of such compensating tax and mail notice to the owner of the amount thereof and the date on which payment is due. The amount of such compensating tax shall be equal to:

(a) The difference, if any, between the amount of tax last levied on such land as forest land and an amount equal to the new assessed valuation of such land multiplied by the dollar rate of the last levy extended against such land, multiplied by

(b) A number, in no event greater than ten, equal to the number of years, commencing with assessment year 1975, for which such land was assessed and valued as forest land.

(8) Compensating tax, together with applicable interest thereon, shall become a lien on such land which shall attach at the time such land is removed from classification as forest land and shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which such land may become charged or liable. Such lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. Any compensating tax unpaid on its due date shall thereupon become delinquent. From the date of delinquency until paid, interest shall be charged at the same rate applied by law to delinquent ad valorem property taxes.

(9) The compensating tax specified in subsection (7) of this section shall not be imposed if the removal of classification as forest land pursuant to subsection (5) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other forest land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;

(c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.

(10) With respect to any land that has been designated prior to May 6, 1974, pursuant to RCW 84.33.120(4) or 84.33.130, the assessor may, prior to January 1, 1975, on his own motion or pursuant to petition by the owner, change, without imposition of the compensating tax provided under RCW 84.33.140, the status of such designated land to classified forest land.

Sec. 17. Section 17, chapter 294, Laws of 1971 ex. sess. as amended by section 226, chapter 3, Laws of 1983 and RCW 84.33.170 are each amended to read as follows:

Notwithstanding any provision of this chapter to the contrary, this chapter shall not exempt from the ad valorem tax nor subject to the excise tax imposed by ~~(RCW 84.33.071)~~ this chapter, Christmas trees which are grown on land which has been prepared by intensive cultivation and tilling, such as by plowing or turning over the soil, and on which all unwanted plant growth is controlled continuously for the exclusive purpose of raising such Christmas trees, and such land on which such Christmas trees stand shall not be taxed as provided in RCW 84.33.100 through 84.33.140.

Sec. 18. Section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200 are each amended to read as follows:

(1) The legislature shall review the system of distribution and allocation of all timber excise tax revenues in January, 1975 and each year thereafter to provide a uniform and equitable distribution and allocation of such revenues to the state and local taxing districts.

(2) In order to allow legislative review of the rules and regulations to be adopted by the department of revenue establishing the stampage ~~((value index))~~ values provided for in ~~(RCW 84.33.071(3))~~ section 7 of this 1984 act, such rules and regulations shall be effective not less than sixty days after transmitting to the staffs of the senate and house ways and means committees (or their successor committees) the same proposed rules and regulations as shall have been previously filed with the office of the code reviser pursuant to RCW 34.04.025(1)(a).

(3) In the event that a permanent timber tax rate is not set in 1979, a joint timber tax advisory committee shall be established. The joint advisory committee shall be composed of members of the house of representatives and the senate and co-chaired by a member of the house revenue committee and a member of the senate ways and means committee. The joint advisory committee shall recommend a rate level and distribution system on or before the convening of the forty-seventh legislature.

(4) The department of revenue and the department of natural resources shall make available to the revenue committees of the senate and house of representatives of the state legislative information and data, as it may be available, pertaining to the status of forest land grading throughout the state, the collection of timber excise tax revenues, the distribution and allocation of timber excise tax revenues to the state and local taxing districts, and any other information as may be necessary for the proper legislative review and implementation of the timber excise tax system, and in addition, the departments shall provide an annual report of such matters in January of each year to such committees.

NEW SECTION. Sec. 19. Sections 1 through 9 of this act are each added to chapter 84.33 RCW.

NEW SECTION. Sec. 20. The legislature finds that two separate systems are used in the taxation of forest land and the timber and forest crops grown thereon. Less than eight percent of private forest land is taxed under the system enacted in 1931; over ninety-two percent is taxed under the 1971 law. The policies established under RCW 84.28.005 in 1931 and RCW 84.33.010 in 1971 will be carried out more efficiently and equitably under a single uniform taxing system. It is the purpose of sections 21 through 25 of this act to phase out the system enacted in 1931 for taxation of forest land and forest crops and to integrate the taxation of that land and forest crops into the tax system enacted in 1971.

NEW SECTION. Sec. 21. There is added to chapter 84.28 RCW a new section to read as follows:

The classification of land as reforestation land under this chapter is terminated, effective July 1, 1984. Effective July 1, 1984, this land shall be classified forest land under chapter 84.33 RCW and this land and the timber standing thereon shall be subject to all provisions of chapter 84.33 RCW: PROVIDED, That for timber harvested from these reclassified reforestation lands for the period July 1, 1984, through December 1, 1984, the tax shall be paid prior to January 31, 1985, and such tax revenue shall be distributed to the state and local taxing districts in the same manner as if the timber were harvested after October 1, 1984.

NEW SECTION. Sec. 22. There is added to chapter 84.28 RCW a new section to read as follows:

As used in this chapter, 'reclassified reforestation land' means land for which the classification has terminated under section 21 of this act.

NEW SECTION. Sec. 23. There is added to chapter 84.28 RCW a new section to read as follows:

The county assessor of a county in which there are reclassified reforestation lands shall notify each owner of record of reclassified reforestation land of the reclassification prior to August 1, 1984. If the owner desires to remove any such land from classification as reclassified reforestation land, the owner shall file an application for removal from classification of the land by legal description prior to October 1, 1984. The application for declassification shall be accompanied by a payment equal to six percent of the stumpage value of any commercial timber standing on the land as of July 1, 1984. The assessor shall accept the request for removal from classification but may ask for an appraisal of the standing timber certified by an experienced timber cruiser before final acceptance of the payment due. Upon final approval and payment of the proper amount, the assessor shall assess the land at its value for highest and best use as of January 1, 1985.

NEW SECTION. Sec. 24. There is added to chapter 84.28 RCW a new section to read as follows:

In preparing the assessment rolls as of January 1, 1985, for taxes payable in 1986, the assessor shall list, prior to May 31, 1985, each parcel of reclassified reforestation land at the values set in accordance with RCW 84.33.120. For the purpose of calculating the limitation on tax levies under chapter 84.55 RCW, the increase in assessed valuation of reclassified reforestation land entered on the tax rolls as of January 1, 1985, shall be treated the same as increases resulting from new construction. Reclassified reforestation land shall be considered to have been designated or classified forest land for a period in excess of ten years for purposes of calculating any compensating tax which may become payable under RCW 84.33.140.

NEW SECTION. Sec. 25. There is added to chapter 84.28 RCW a new section to read as follows:

(1) There shall be paid by each owner of reclassified reforestation lands, in addition to the excise tax imposed under sections 3 and 4 of this act, in respect to timber harvested from these lands, the following amounts:

- (a) For timber harvested in 1985, three percent of the stumpage value;
- (b) For timber harvested in 1986, two percent of the stumpage value; and
- (c) For timber harvested in 1987, one percent of the stumpage value.

(2) The taxes payable under this section shall be paid to the county treasurer of the county in which the timber is harvested on or before March 15 of the year following the harvest. The county treasurer shall deposit these receipts in the county timber tax account to be distributed to local taxing districts in the same manner as the distributions of moneys received by the county from the county timber tax authorized in section 5 of this act.

NEW SECTION. Sec. 26. The department of revenue shall audit the records of each county in which there are forest lands classified under chapter 84.28 RCW for the purpose of determining compliance with chapter 84.28 RCW in respect to the collection of yield taxes on timber harvested and the disposition of such moneys for the period 1980 through 1984. The department of revenue shall advise the state treasurer of any underpayment or overpayment of moneys due the state and may enter into an agreement with the county treasurer relieving the county of any further liability under chapter 84.28 RCW.

NEW SECTION. Sec. 27. Nothing in sections 21 through 25 of this act excuses or discharges any person from the yield tax imposed by RCW 84.28.110 with respect to timber harvested from reforestation lands prior to July 1, 1984.

NEW SECTION. Sec. 28. The following acts or parts of acts are each repealed:

- (1) Section 3, chapter 294, Laws of 1971 ex. sess., section 1, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.030;
- (2) Section 4, chapter 294, Laws of 1971 ex. sess., section 7, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.040;
- (3) Section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050;
- (4) Section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060.

(5) Section 1, chapter 347, Laws of 1977 ex. sess., section 1, chapter 6, Laws of 1979, section 1, chapter 148, Laws of 1981, section 2, chapter 4, Laws of 1982 2nd ex. sess., section 59, chapter 3, Laws of 1983 2nd ex. sess. and RCW 84.33.071;

(6) Section 6, chapter 95, Laws of 1979 ex. sess. and RCW 84.33.072;

(7) Section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981, section 1, chapter 8, Laws of 1983 and RCW 84.33.080;

(8) Section 5, chapter 4, Laws of 1981 and RCW 84.33.085; and

(9) Section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090.

NEW SECTION. Sec. 29. This act shall take effect July 1, 1984.*

POINT OF ORDER

Mr. Grimm: "Mr. Speaker, the amendment is beyond scope and object."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Substitute House Bill No. 1471 and the floor amendment. The title of SHB 1471 is 'An Act Relating to timber excise tax rates.' The object of the bill is to make permanent a timber excise tax rate scheme for the industry and small harvesters. Section 3 of the amendment does conform to the title and object of SHB 1471 as it changes the 'timber excise tax rate' for harvested timber. However, sections 4 through 19 attempt to institute a different timber tax distribution scheme. SHB 1471 in no way attempts to change the current distribution scheme in RCW 84.33.071 (the only substantive RCW section in SHB 1471). Sections 20 through 25 of the amendment create a new scheme for the taxation of reforested land found in chapter 84.28 RCW. Obviously this subject is not even addressed in SHB 1471. Thus, due to the inclusion of objects not addressed by SHB 1471, this floor amendment is beyond the scope and object of the bill. Your point is well taken, Representative Grimm."

POINT OF PERSONAL PRIVILEGE

Mr. Halsan: "I would like to take this opportunity to comment on some deep feelings that I have concerning the procedures that are taking place in this body. Although I respect the Speaker's ruling concerning the scope and object of this particular amendment, I have some severe problems with the fact that the issue of the distribution to local governments has not been addressed by this body. Be that, in a situation where a bill was passed out of the Ways and Means Committee with a title so narrow that this ruling was, in fact, made, we have a situation at the present time where we have perfected the bill to lower the tax rate from six and one-half percent to five percent over a period of three years. We also have a situation with the present distribution system that only fifty-five percent of that would go to local governments. I have always maintained, and I still maintain, that we need and we must change that distribution system to hold the counties, the local governments, the libraries, the minor taxing districts, harmless so that they will get at least as much, if not more, revenue than they presently receive. Without dealing with a distribution formula on this particular bill, we are putting them in grave peril. I think it is something the body should reflect upon in consideration of other bills that we might address on that particular aspect. It is a very dangerous situation for us to be in."

Mr. Appelwick moved adoption of the following amendment:

Strike everything after the enacting clause and insert:

"Sec. 1. Section 7, chapter 294, Laws of 1971 as last amended by section 59, chapter 3, Laws of 1983 2nd ex. sess. 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 (~~between July 1, 1983, through June 30, 1984~~) for sale or for commercial or industrial use multiplied by the rate of six and one-half percent.

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own land or from the 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. Except as provided in section 2 of this 1984 act, revenues from the tax imposed by subsection (1) of this section shall be deposited as follows. The revenues from the tax imposed by subsection (1) of this section on timber harvested from privately owned land shall be deposited in the 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) of this section on timber harvested from publicly owned land 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 82.32.045 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.

NEW SECTION. Sec. 2. There is added to chapter 84.33 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 2 through 5 of this act.

(1) 'Major improvement' means the expansion, modernization, or renovation of existing buildings wherein the costs are in excess of twenty-five percent of the true and fair value of the plant complex prior to the improvement.

(2) 'New buildings' means a new structure or an expansion of an existing structure which provides new usable floor space which is covered by a new roof and which is supported by a new foundation.

(3) 'Trust fund' means the timber harvesters investment tax deferral trust fund created in section 3 of this act.

NEW SECTION. Sec. 3. There is added to chapter 84.33 RCW a new section to read as follows:

(1) Twenty-three percent of the revenues from the tax imposed under RCW 84.33.071 and due before June 30, 1994 shall be deposited in the timber harvesters investment tax deferral trust fund hereby created in the custody of the state treasurer. Moneys in the trust fund may be used only for the purposes provided in sections 3 through 5 of this act. Disbursements from the trust fund shall be on authorization of the department of revenue, and appropriations are not required for such disbursements.

(2) The department shall enter into a contract with each taxpayer from whom taxes are collected and deposited in the trust fund. The contract shall provide that the refunds provided under sections 3 through 5 of this act are a contract right. The legislature shall not impair contract rights granted under this section.

NEW SECTION. Sec. 4. There is added to chapter 84.33 RCW a new section to read as follows:

(1) A taxpayer may apply for refund of taxes deposited in the trust fund. The amount of the refund shall not exceed the lesser of the following amounts:

(a) The taxpayer's investment in new buildings and major improvements since the effective date of this section;

(b) The taxpayer's investment in new buildings and major improvements since the date the taxpayer last applied for a refund under this section; or

(c) The amount of taxes collected from the taxpayer and deposited in the trust fund during the five years immediately preceding the date of application.

(2) In order to receive a refund under this section, the taxpayer must file an application for refund:

(a) On forms specified by the department of revenue;

(b) Within five years after the taxpayer's investment in new buildings or major improvements; and

(c) Before July 1, 1999.

(3) Within 60 days after the receipt of an application under this section, the department shall complete an audit to determine the amount of tax properly refundable under this section and shall refund the proper amount of tax from the trust fund.

NEW SECTION. Sec. 5. There is added to chapter 84.33 RCW a new section to read as follows:

The department shall transfer amounts remaining more than five years after deposit in the trust fund to the account which would have otherwise received the amounts under RCW 84.33.071(5).

NEW SECTION. Sec. 6. This act shall take effect July 1, 1984."

POINT OF ORDER

Mr. Tilly: "Mr. speaker, I challenge this amendment on scope and object."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Substitute House Bill No. 1471 and the amendment by Representative Appelwick. The title of the bill is 'An Act Relating to timber excise tax rates.' The object of the bill is to make permanent a timber excise tax rate scheme for the industry and small harvesters. The amendment attempts to create a taxing scheme for the deferral of the timber excise tax. This deferral would be authorized if the timber harvester made qualifying capital improvements. Even though the amendment makes the timber excise tax permanent, it attempts to create a new timber tax scheme not addressed by the bill. Thus, due to the inclusion of objects not addressed by SHB 1471, this floor amendment is beyond the scope and object of the bill. Your point is well taken, Representative Tilly."

POINT OF PERSONAL PRIVILEGE

Mr. Appelwick: "Mr. Speaker, I would like to comment briefly on my disappointment that the objection was raised, not being disappointed with the Speaker's ruling, but I hope you will take the time to read this amendment. We addressed the industry's concerns that there was a tax credit plan that the legislature could not revoke that could be sufficiently enforceable under the contract rights and which would have given us some adjustment return for the tax breaks being given. It is really a disappointment that we have to have a giveaway instead of an adjustment."

Mr. Appelwick moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 59, chapter 3, Laws of 1983 2nd ex. sess. 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 (~~between July 1, 1983, through June 30, 1984;~~) for sale or for commercial or industrial use multiplied by the rate of six and one-half percent.

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own land or from the 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 on timber harvested from privately owned land 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) of this section on timber harvested from publicly owned land 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 82.32.045 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. 2. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1 of this 1984 act 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 rate of six and one-half percent))~~ A tax is imposed on every person engaging in this state in business as a harvester of timber on privately or publicly owned land. 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 July 1, 1984, through June 30, 1985, six and one-half percent;

(b) For timber harvested July 1, 1985, through June 30, 1986, five and three-quarters percent;

(c) For timber harvested June 30, 1986, and thereafter, five percent.

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own land or from the 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 on timber harvested from privately owned land 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) of this section on timber harvested from publicly owned land 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 82.32.045 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.

NEW SECTION. Sec. 3. Section 2 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."

Representatives Appelwick and Sayan spoke in favor of the amendment, and Representatives Halsan and Tilly spoke against it.

Mr. Appelwick spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Appelwick to Substitute House Bill no. 1471, and the amendment was not adopted by the following vote: Yeas, 43; nays, 53; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, King J, Kreidler, Locke, Long, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 43.

Voting nay: Representatives Allen, Ballard, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King P, King R, Lewis, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 53.

Excused: Representatives Clayton, Kaiser - 2.

Substitute House Bill No. 1471 was ordered engrossed and passed to Committee on Rules for second reading.

The Speaker declared the House to be at ease until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Clayton and Kaiser, who were excused.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4800, by Committee on State Government (originally sponsored by Senators Bottiger, Fleming, Hayner and Sellar)

Coordinating joint legislative systems.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 39th Day, February 16, 1984.)

Ms. Niemi moved adoption of the committee amendment.

Mr. Padden moved adoption of the following amendments to the committee amendment:

On page 5, line 3 strike ", policies."

On page 5, line 13 strike ", policies."

Mr. Padden spoke in favor of the amendments, and Ms. Niemi spoke against them.

Mr. Padden spoke again in favor of the amendments, and Ms. Niemi again opposed them.

The amendments to the committee amendment were not adopted.

On motion of Ms. Niemi, the following amendments by Representatives Niemi and Padden to the amendment were adopted:

On page 3, line 13 after "appropriate," strike "procedures" and insert "policies, procedures."

On page 4, line 19 strike "procedures" and insert "policies, procedures."

On page 6, line 4 after "the" strike "procedures" and insert "policies, procedures."

On page 6, line 27 after "the" strike "procedures" and insert "policies, procedures."

The committee amendment as amended was adopted.

On motion of Ms. Niemi, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4800 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Todd - 1.

Excused: Representatives Clayton, Kaiser - 2.

Substitute Senate bill No. 4800 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.

Representative Clayton appeared at the bar of the House.

SENATE BILL NO. 3118, by Senators Talmadge, Newhouse and Vognild
Modifying provisions relating to workers' compensation.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3118, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kaiser - 1.

Senate Bill No. 3118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3208, by Senators Talmadge, Clarke, Bottiger and McDermott

Increasing judges' salaries.

The bill was read the second time.

Mr. B. Williams moved adoption of the following amendment:

On page 2, after line 22 insert:

***NEW SECTION.** Sec. 4. The legislative budget committee, in consultation with the state actuary, the director of the department of retirement systems, and the executive director of the state investment board, shall review the financial status, benefit provisions, and the funding of the judicial retirement system and shall present recommendations to the legislature no later than January 14, 1985, on changes needed to ensure sound funding of the judicial retirement system.'

Renumber the remaining sections consecutively and correct internal references accordingly.

POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I would like to raise the question of scope and object and consistency with our rules on this amendment."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Engrossed Senate Bill No. 3208 and the amendment by Representative Williams. The title of ESB 3208 is 'An Act Relating to judges' salaries.' This is a fairly narrow title in that it refers to 'salaries' and neither to 'compensation' nor to 'pensions.' The body of the bill concerns only the salaries of judges. As neither the title nor the body of the bill deal with pensions or retirement, the amendment is beyond the scope and object of the bill. Your point is well taken, Representative Sommers."

Mr. B. Williams moved adoption of the following amendment:

On page 2, line 24 after "1985" strike the remainder of the section and insert:

"(a) The sum of one million five hundred twenty-three thousand dollars, or so much as may be necessary, for the salary increases provided in this act; and

(b) The sum of thirty-three million eight hundred thousand dollars, or so much as may be necessary, for funding of the unfunded liability of the judicial retirement system, including the increased costs resulting from the salary increases provided in this act."

POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I wish to raise the question of scope and object on this amendment as well."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Engrossed Senate Bill No. 3208 and the amendment by Representative Williams. The title of ESB 3208 is 'An Act Relating to judges' salaries.' This is a fairly narrow title in that it refers to 'salaries' and neither to 'compensation' nor to 'pensions.' The body of the bill concerns only the salaries of judges. As neither the title nor the body of the bill deal with pensions or retirement, the amendment is beyond the scope and object of the bill. Your point is well taken, Representative Sommers."

Mr. B. Williams moved adoption of the following amendment:

On page 2, line 24 after "1985" strike the remainder of the section and insert:

"(a) The sum of one million five hundred twenty-three thousand dollars, or so much as may be necessary, for the salary increases provided in this act; and

(b) The sum of five million eight hundred thousand dollars, or so much as may be necessary, to fund the increased pension costs resulting from the salary increases provided in this act."

POINT OF ORDER

Ms. Sommers: "Again, I wish to raise the question of scope and object on this amendment."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Engrossed Senate Bill No. 3208 and the amendment by Representative Williams. The title of ESB 3208 is 'An Act Relating to judges' salaries.' This is a fairly narrow title in that it refers to 'salaries' and neither to 'compensation' nor to 'pensions.' The body of the bill concerns only the salaries of judges. As neither the title nor the body of the bill deal with pensions or retirement, the amendment is beyond the scope and object of the bill. Your point is well taken, Representative Sommers."

Mr. B. Williams moved adoption of the following amendment:

On page 1, after the enacting clause strike all material down to and including the period on page 2, line 22 and insert the following:

NEW SECTION. Sec. 1. The compensation provisions of sections 2 and 3 of this 1984 act are designed to provide some balance between the salaries of judicial officers and their retirement allowances. The legislature finds that judicial officers have not received adequate salaries, but are eligible to receive benefits under the judicial retirement system that are very generous.

NEW SECTION. Sec. 2. (1) The salary increments specified under this section shall only be authorized for judicial officers who elect to receive the increments and to be governed by the provisions of section 3 of this 1984 act.

(2) Judicial officers desiring to make the election shall provide notice thereof to the treasurer. Upon providing such notice, they shall be entitled to the following increment which shall be in addition to their regular salaries: (a) Fourteen thousand five hundred dollars per year for justices of the supreme court; (b) fourteen thousand and nine hundred dollars per year for judges of the court of appeals; and (c) fifteen thousand and three hundred dollars per year for judges of the superior court.

(3) The increments authorized in this section are contingent on the validity of and the state's power to enforce the recipients' election to be governed by the provisions of section 3 of this 1984 act. Should the requirement of the election be declared invalid as applied to a judicial officer or should the state be prevented from applying the provisions of section 3 to a judicial officer, then such officer shall no longer be eligible to receive the increment and will have to pay back the total amount of the increments previously received with interest at the rate of nine percent per year. A judicial officer shall have no right to receive or retain any increment in the absence of a valid and enforceable election by the officer.

NEW SECTION. Sec. 3. There is added to chapter 2.10 RCW a new section to read as follows:

As an alternative to the provisions of RCW 2.10.110, a judge may elect to be governed by the provisions of this section. A judge who makes this election shall upon retirement for service receive a monthly retirement allowance, computed according to his or her completed years of service, as follows: Two percent of his or her final average salary for each year of service: PROVIDED, that in no case shall any retired member receive more than seventy-five percent of

his or her salary except as increased as a result of the cost of living increases as provided by this chapter.

NEW SECTION. Sec. 4. Sections 1 through 3 of this 1984 act shall constitute a new chapter in Title 2 RCW."

Renumber the remaining sections consecutively.

POINT OF ORDER

Ms. Sommers: "I wish to raise the same question of scope and object on this amendment."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Engrossed Senate Bill No. 3208 and the amendment by Representative Williams. The title of ESB 3208 is 'An Act Relating to judges' salaries.' This is a fairly narrow title in that it refers to 'salaries' and neither to 'compensation' nor to 'pensions.' The body of the bill concerns only the salaries of judges. As neither the title nor the body of the bill deal with pensions or retirement, the amendment is beyond the scope and object of the bill. Your point is well taken, Representative Sommers."

Ms. Monohon moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 144, Laws of 1953 as last amended by section 4, chapter 255, Laws of 1979 ex. sess. and RCW 2.04.090 are each amended to read as follows:

~~((1) Each justice of the supreme court shall receive an annual salary of forty-eight thousand two hundred dollars effective July 1, 1979, but no salary warrant shall be issued to any judge of the supreme court until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted or undecided by him for more than six months:~~

((2)) Each justice of the supreme court shall receive an annual salary of ~~((fifty-one))~~ fifty-five thousand ~~((five))~~ nine hundred dollars effective July 1, ~~((1980, but))~~ 1984; sixty thousand eight hundred dollars effective December 31, 1984; and sixty-six thousand dollars effective June 30, 1985. No salary warrant shall be issued to any judge of the supreme court until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted or undecided by him for more than six months.

Sec. 2. Section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 5, chapter 255, Laws of 1979 ex. sess. and RCW 2.06.060 are each amended to read as follows:

~~((1) Each judge of the court of appeals shall receive an annual salary of forty-four thousand nine hundred dollars effective July 1, 1979, but no salary warrant shall be issued to any judge until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted by him for more than three months:~~

((2)) Each judge of the court of appeals shall receive an annual salary of ~~((forty-eight))~~ fifty-two thousand ~~((one))~~ six hundred dollars effective July 1, ~~((1980, but))~~ 1984; fifty-seven thousand eight hundred dollars effective December 31, 1984; and sixty-three thousand dollars effective June 30, 1985. No salary warrant shall be issued to any judge until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted by him for more than three months.

Sec. 3. Section 2, chapter 144, Laws of 1953 as last amended by section 6, chapter 255, Laws of 1979 ex. sess. and RCW 2.08.090 are each amended to read as follows:

~~((1)) Each judge of the superior court shall receive an annual salary of forty-one thousand seven hundred dollars effective July 1, 1979:~~

((2)) Each judge of the superior court shall receive an annual salary of ~~((forty-four))~~ forty-nine thousand ~~((seven))~~ three hundred dollars effective July 1, ~~((1980))~~ 1984; fifty-four thousand four hundred dollars effective December 31, 1984; and sixty thousand dollars effective June 30, 1985.

NEW SECTION. Sec. 4. There is appropriated from the general fund to the governor for the biennium ending June 30, 1985, the sum of seven hundred sixteen thousand dollars, or so much as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 5. 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 July 1, 1984."

Ms. Monohon spoke in favor of the amendment, and Representatives Fiske and McMullen spoke against it.

Ms. Monohon spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Monohon to Engrossed Senate Bill No. 3208, and the amendment was not adopted by the following vote: Yeas, 29; nays, 68; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Belcher, Betzoff, Bond, Brekke, Cantu, Dickie, Fisch, Fuhrman, Galloway, Hastings, Haugen, Heck, Hine, Lewis, Locke, McClure, Monohon, Nealey, Pruitt, Schoon, Smith L. Stratton, Sutherland, West, Williams B, and Mr. Speaker - 29.

Voting nay: Representatives Armstrong, Ballard, Barnes, Barrett, Braddock, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisher, Fiske, Gallagher, Garrett, Grimm, Halsan, Hankins, Holland, Isaacson, Jacobsen, Johnson, King J. King P, King R, Kreidler, Long, Lux, McMullen, Miller, Mitchell, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smitherman, Sommers, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams J. Wilson, Zellinsky - 68.

Excused: Representative Kaiser - 1.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. B. Williams spoke against passage of the bill, and Representatives Fiske and McMullen spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3208, and the bill passed the House by the following vote: Yeas, 84; nays, 13; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Wang, West, Williams J. Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Betzoff, Bond, Cantu, Fisch, Fuhrman, Halsan, Haugen, Nealey, Pruitt, Smith L. Stratton, Walk, Williams B - 13.

Excused: Representative Kaiser - 1.

Engrossed Senate Bill No. 3208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4376, by Senators Bender, Zimmerman and Thompson

Authorizing distribution of municipal sales and use tax equalization funds to cities and towns incorporated since January 1, 1983.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day, February 21, 1984.)

On motion of Mr. Moon, the amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon, P. King, Long, Fuhrman and Nealey spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Long yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Long, I wonder if you could geographically identify where Mill Creek is because Representative Hastings and I have a Mill Creek in our District 16 and I know that we are not too close to your district. I don't recall any request from this small community in our district that addresses this subject. Could you identify where your Mill Creek is?"

Ms. Long: "Mill Creek is between Lynnwood and Everett. It's in the northern-most part of the 44th District."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4376 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monehon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Pruitt, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Loven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Powers, Sayan - 2.

Excused: Representative Kaiser - 1.

Senate Bill No. 4376 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.

SUBSTITUTE SENATE BILL NO. 4332, by Committee on Financial Institutions (originally sponsored by Senators Moore, Warnke and Sellar; by Public Deposit Protection Commission request)

Modifying provisions relating to public depositaries.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal 39th Day, February 17, 1984.)

Mr. Lux moved adoption of the committee amendment to page 15, line 5. Representatives Lux and Sanders spoke in favor of the amendment, and it was adopted.

The Speaker called on Mr. O'Brien to preside.

Mr. Lux moved adoption of the following amendments:

On page 7, line 26 after "state," insert "which, after July 1, 1985, has filed with the commission the statement required by section 20 of this act,"

On page 14, after line 16 insert the following new sections:

"NEW SECTION. Sec. 20. There is added to chapter 39.58 RCW a new section to read as follows:

Each financial institution which is a qualified public depository, or which applies to become a qualified public depository, shall file at least annually a statement that the financial institution does not impose: (1) a fee of more than one dollar for cashing checks or warrants issued by the state, or any city, county or municipality in the state, or issued by the federal government or any of its agencies or instrumentalities for unemployment compensation, workers' compensation, or public assistance; and (2) any fee for cashing checks or warrants issued by the social security administration. The statement shall be signed under penalty of perjury. The commission may instruct the supervisor to examine and certify as to the accuracy of any statement made under this section.

NEW SECTION. Sec. 21. Section 20 of this 1984 act shall take effect on July 1, 1985."

Renumber the remaining sections and correct any internal references accordingly.

Representatives Lux, R. King and Moon spoke in favor of the amendments, and Representatives Zellinsky, Sanders, Ballard and P. King spoke against them.

Mr. Lux spoke again in favor of the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Lux to Substitute Senate Bill No. 4332, and the amendments were not adopted by the following vote: Yeas, 40; nays, 56; absent, 1; excused, 1.

Voting yea: Representatives Appelwick, Belcher, Braddock, Brække, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Jacobsen, King J, King P, King R, Locke, Lux, McClure, McMullen, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Stratton, Todd, Vekich, Walk, Wang, and Mr. Speaker - 40.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kreidler, Lewis, Long, Miller, Mitchell, Monohon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Sommers, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 56.

Absent: Representative Tanner - 1.

Excused: Representative Kaiser - 1.

The Clerk read the following amendments by Representative P. King:

On page 7, line 26 after "state," insert "which has filed with the commission the statement required by section 20 of this act."

On page 14, after line 16 insert the following new section:

"NEW SECTION. Sec. 20. There is added to chapter 39.58 RCW a new section to read as follows:

Each financial institution which is a qualified public depository, or which applies to become a qualified public depository, shall file at least annually a statement that the financial institution does not impose: (1) a fee of more than one dollar for cashing checks or warrants issued by the state, or any city, county or municipality in the state, or issued by the federal government or any of its agencies or instrumentalities for unemployment compensation, workers' compensation, or public assistance; and (2) any fee for cashing checks or warrants issued by the social security administration. The statement shall be signed under penalty of perjury. The commission may instruct the supervisor to examine and certify as to the accuracy of any statement made under this section."

Remember the remaining sections consecutively and correct internal references accordingly.

On page 15, after line 5 insert the following:

"NEW SECTION. Sec. 22. There is added to chapter 82.04 RCW a new section to read as follows:

In computing tax, there may be deducted from the measure of tax by a qualified public depository the value of checks or warrants issued by state, local or federal governmental entities for unemployment compensation, workers' compensation, public assistance or social security which the public depository has been unable to collect. 'Qualified public depository' is defined in RCW 39.58.010."

With the consent of the House, Mr. P. King withdrew the amendments.

On motion of Mr. Lux, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4332 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Moon - 1.

Excused: Representative Kaiser - 1.

Substitute Senate Bill No. 4332 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.

SENATE BILL NO. 4345, by Senators Vognild, Newhouse, Wojahn and Talmadge (by Employment Security Department request)

Providing for eligibility for unemployment compensation for persons receiving crime victims compensation.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4345, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kaiser - 1.

Senate Bill No. 4345, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4351, by Senators Gaspard, Guess, Goltz and Talmadge

Adding members to the high-technology coordinating board.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4351, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kaiser - 1.

Senate Bill No. 4351, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4423, by Committee on Agriculture (originally sponsored by Senators Fleming, Hansen, Rasmussen, Peterson, Rinehart, Barr, Moore, McManus, Bauer, Williams, Goltz, Woody, Shinpoch and Vognild)

Establishing the agricultural market development task force.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Ellis spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4423, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Belcher - 1.

Excused: Representative Kaiser - 1.

Engrossed Substitute Senate Bill No. 4423, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4428, by Senators Owen and Fuller

Modifying the program to purchase fishing vessels and licenses.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4428, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kaiser - 1.

Senate Bill No. 4428, having received the 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

It was my intention to vote against SB 4428 for the following reasons:

Even though this program has been authorized by Congress and is funded by them at \$2.5 million per year, the Executive Branch of the Federal Government wants to stop this program. They consider the problem of excess capacity to be a local problem. Assuming this is a local problem, the state should face up to its responsibilities and fund the program instead of holding our hands out for charity from the Federal Government.

The people benefiting from the program being authorized by this legislation are being subsidized by taxpayer dollars because of bad business decisions.

PAUL SANDERS, 48th District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4443, by Committee on Natural Resources (originally sponsored by Senators Bottiger, Gaspard and Shipoch)

Providing procedures for extinguishing claims to mineral interests.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 40th Day, February 17, 1984.)

On motion of Mr. Halsan, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Halsan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4443 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Belcher, Clayton, Dickie, Mitchell, Schmidt - 5.
Excused: Representative Kaiser - 1.

Engrossed Substitute Senate Bill No. 4443 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 Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 21, 1984

HB 1646 Prime Sponsor, Representative Appelwick: Adopting a Washington state savings bond act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

Voting nay: Representatives Addison, Bond, Cantu, Sanders, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Fiske, Hastings, Heck and G. Nelson.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 3098 Prime Sponsor, Committee on Local Government: Providing for filling county freeholder vacancies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 strike "board of county commissioners" and insert "(~~board of county commissioners~~) county legislative authority"

On page 1, beginning on line 12 strike "~~board of county commissioners~~" and insert "county legislative authority"

On page 1, line 15 beginning with "~~district~~" strike all the material down to and including "~~district.~~" on line 18 and insert "position. If that candidate declines to fill the vacancy or is otherwise unavailable, the vacancy shall be offered to the candidate with the next greatest vote total for that position. If the position is still vacant, the county legislative authority shall

continue making offerings until all persons who were eligible candidates have refused or are otherwise unavailable to fill the vacancy. Then, the county legislative authority shall appoint a qualified person to fill the position."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Smitherman and Van Dyken.

Voting nay: Representatives Allen, Ballard, Broback, Brough, Chandler and Isaacson.

Absent: Representatives Todd and Van Luvan.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 3223 Prime Sponsor, Committee on Judiciary: Establishing the Antitrust/Consumer Protection Improvements Act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23 after "shall" insert "continue to"

On page 2, after line 3 strike all of section 2 and renumber the remaining section consecutively.

On page 1, beginning with "amending" on line 4 strike everything through "RCW 19.86-.080;" on line 5

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Cantu, Crane, Dellwo, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly and Wang.

Voting nay: Representatives Appelwick, Ellis and West.

Absent: Representative Crane.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 3238 Prime Sponsor, Committee on Local Government: Changing the planning and community affairs agency to the office of community programs. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 5, after line 4 insert the following new sections:

"NEW SECTION. Sec. 6. There is added to chapter 43.63A RCW a new section to read as follows:

The department shall establish a community development finance program. Pursuant to this program, the department shall: (1) develop expertise in federal, state, and local community and economic development programs; (2) assist communities and businesses to secure available financing; and (3) work closely with the department of commerce and economic development on financial and technical assistance programs available to small and medium sized businesses. To the extent permitted by federal law, the department is encouraged to use federal community block grant funds to make urban development action grants to communities which have not been eligible to receive such grants prior to the effective date of this 1984 act.

"NEW SECTION. Sec. 7. There is added to chapter 43.63A RCW a new section to read as follows:

The department shall develop and administer a local development matching fund program. To be eligible to receive funds under this program, an organization must be a local government or a nonprofit local development entity. Any local government or entity requesting funds must demonstrate the participation of a cross-section of the local community in the economic development project, including business, labor, education and training, and the public sector. Under this program, the department shall provide matching funds which shall be used for the formulation of local economic development strategies, including the technical analysis necessary to designate and carry out the strategies. A technical analysis can include, but is not limited to, the development and dissemination of data on local markets, demographics, comparative business costs, site availability, labor force characteristics, and local incentives. Funds are to be used primarily to foster new developments and expansions which result in the trading of goods and services outside of the state's borders. Funds may be made available for assisting local businesses in utilizing state and federal programs in exporting, training, and financing. Funds may also be used to provide technical assistance to businesses in the areas of land use, transportation, site location, and manpower training. Matching funds cannot be used

for entertainment, capital expenses, hosting, or marketing. Funds granted for economic development projects must be matched by local resources on a dollar-for-dollar basis. Not more than fifty thousand dollars of state matching funds as provided by this section may be used for any one project.

The department shall report annually on December 31 to the governor and the legislature on funds expended and projects developed using matching funds.

NEW SECTION. Sec. 8. There is added to chapter 43.63A RCW a new section to read as follows:

The department shall assist in the fostering of local community and economic development strategies which facilitate effective partnerships between the public and private sectors."

Remember the remaining sections consecutively.

Signed by Representatives Niemi, Chair; Belcher, Hankins, Johnson, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and J. Williams.

Voting nay: Representatives Bond, Vekich and Walk.

Absent: Representatives Kaiser and R. King.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 3504 Prime Sponsor, Committee on Local Government: Modifying provisions on land classified for current use assessment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Hastings, Heck, Hine, J. King, Kreedler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Ellis and Fiske.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 3561 Prime Sponsor, Committee on Commerce & Labor: Modifying qualifications for unemployment compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 after "during which" strike "he" and insert "~~(he)~~ the individual"

On page 1, line 12 after "to" strike "him" and insert "~~(him)~~ the individual"

On page 1, line 13 after "payable to" strike "him" and insert "~~(him)~~ the individual"

On page 1, line 14 after "times" strike "his" and insert "~~(his)~~ the individual's"

On page 2, line 11 after "in" strike "his" and insert "~~(his)~~ the individual's"

On page 3, after line 10 insert a new paragraph as follows:

"The provisions of this section pertaining to the assignment of previously accrued compensation shall not apply to individuals subject to RCW 50.44.050."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betrozoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, C. Smith and Struthers.

Absent: Representative Brekke.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 4220 Prime Sponsor, Committee on Commerce & Labor: Requiring theatrical enterprises to post bonds or other security. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betrozoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan and Struthers.

Voting nay: Representative C. Smith.

Absent: Representative Brekke.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4228

Prime Sponsor, Senator Fleming: Changing the grounds for malicious harassment. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

* Sec. 1. Section 1, chapter 267, Laws of 1981 and RCW 9A.36.080 are each amended to read as follows:

(1) A person is guilty of malicious harassment if he maliciously and with the intent to intimidate or harass another person because of that person's race, color, religion, ancestry, ((or)) national origin, age, sexual orientation, or mental, physical, or sensory handicap:

(a) Causes physical injury to another person; or

(b) By words or conduct places another person in reasonable fear of harm to his person or property or harm to the person or property of a third person: PROVIDED, HOWEVER, That it shall not constitute malicious harassment for a person to speak or act in a critical, insulting, or derogatory way so long as his or her words or actions do not constitute a threat of harm to the body or property of another person; or

(c) Causes physical damage to or destruction of the property of another person.

(2) Malicious harassment is a class C felony.

(3) In addition to the criminal penalty provided in subsection (2) of this section, there is hereby created a civil cause of action for malicious harassment. A person may be liable to the victim of malicious harassment for actual damages and punitive damages of up to ten thousand dollars.

(4) The penalties provided in this section for malicious harassment do not preclude the victims from seeking any other remedies otherwise available under law."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Tilly, Wang and West.

Voting nay: Representatives Cantu, G. Nelson, Padden, Schmidt and L. Smith.

Passed to Committee on Rules for second reading.

February 21, 1984

ESSB 4325

Prime Sponsor, Committee on Commerce & Labor: Modifying provisions relating to cigarette sales. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 21 after "lower," strike "less all trade discounts ((except)) and customary discounts for cash," and insert "((less all trade discounts except customary discounts for cash;))"

On page 2, line 26 after "price," insert "The disposition of the manufacturers' cash discount is at the discretion of the wholesaler. Any retailer or wholesaler who actually receives and sells cigarettes with trade or cash discounts shall execute a sworn affidavit and obtain a sworn affidavit from the person granting the discount, whether a manufacturer or wholesaler, which shows: (a) amount or rate of the discount, (b) date the discount was granted, (c) names of the persons granting and receiving the discount, and (d) whether the discount is for cash or trade purposes. Sworn affidavits under this section are maintained for five (5) years and available for inspection by the department of revenue's request. The department of revenue may impose a civil penalty not to exceed \$250 for each failure to maintain affidavits under this section.

Nothing in this section may be construed to require any retailer to obtain affidavits from retail purchasers of cigarettes."

On page 5, after line 19 insert a new section as follows:

"NEW SECTION, Sec. 3. Section one of this act is effective July 1, 1984."

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Ebersole, Ellis, Halsan, Haugen, Holland, Niemi, Padden, Powers, Powers, Schmidt, Silver, L. Smith, Smitherman, Van Dyken, B. Williams and Wilson.

Voting nay: Representatives Brough, Schoon, Stratton and Walk.

Absent: Representatives Kaiser and Tilly.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4348

Prime Sponsor, Senator Vognild: Modifying provisions relating to class K liquor licenses. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Niemi, Padden, Powers, Schmidt, Silver, L. Smith, Smitherman, Stratton, Walk and Wilson.

Voting nay: Representatives Schoon, Tilly, Van Dyken and B. Williams.

Absent: Representatives Haugen, Kaiser, Powers and Wilson.

Passed to Committee on Rules for second reading.

February 17, 1984

SB 4358 Prime Sponsor, Senator Warnke: Repealing the hotel excise tax for convention and trade facilities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "repealed," strike the remainder of the bill.

On page 1, line 1 of the title after "facilities;" insert "and" and beginning on line 2 strike "and declaring an emergency"

Signed by Representatives Haugen, Vice Chair; Ballard, Broback, Brough, Chandler, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Van Dyken and Van Luvan.

Voting nay: Representatives Moon, Chair; Allen and Charnley.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4374 Prime Sponsor, Senator Fleming: Modifying provisions on the taxation of public development authorities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sanders, Sayan, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives G. Nelson and Taylor.

Absent: Representatives Bond, Braddock, Brekke, Fiske and Smitherman.

Passed to Committee on Rules for second reading.

February 22, 1984

ESSB 4395 Prime Sponsor, Committee on Education: Providing programs to promote and achieve educational excellence. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 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:

Each school district board of directors is encouraged to revise its goal-setting process and to begin immediately to establish an annual process of identifying measurable goals which concentrate on improving educational excellence in the district. This process of identifying goals should involve teachers, administrators, school directors, students, parents, business persons, and other community members. The annual goals and recognition of accomplishments should be reported by the school district to the community each year.

NEW SECTION, Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The legislature strongly urges each school district to develop a schedule for each public school within its jurisdiction to develop and implement a process to examine the quality and appropriateness of the schools' educational program and the results of operational efforts. The initiation of the process within each school should begin no later than May 1, 1986, and should be completed for all schools by the end of the 1988-89 school year.

The schools shall promote the voluntary participation of staff, parents, and members of the community to the extent possible.

Emphasis throughout the process shall be placed on:

- (1) Building a stronger link with the community;
 - (2) Improving the educational program to achieve educational equity and excellence;
- and
- (3) Improving school management.

To better enable schools to proceed with the process, each educational service district may provide training to people to serve as district consultants.

The state board of education shall adopt rules and regulations to establish process criteria. The board shall make special efforts to develop flexible rules and regulations to accommodate local goals and situations.

Any school which has participated successfully in self-study or self-evaluation for accreditation by either the state of Washington or the Northwest Association of Schools and Colleges or equivalent entity after August 31, 1982, shall be considered as having fulfilled the requirements of this section.

Each school district shall annually report to the superintendent of public instruction on the scheduling and implementation of the process.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction is hereby authorized to grant funds to three local school districts to establish pilot projects in building-based management. The superintendent shall assure to the extent possible that projects will be chosen that:

- (1) Represent various geographic locations and school or district sizes;
- (2) Provide for evaluation of each project upon completion; and
- (3) Provide a model which may be used by other school districts.

The superintendent shall evaluate the building-based management projects conducted under authority of this section as well as other similar projects and report back to the legislature with conclusions and recommendations no later than January 1, 1986.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction, in consultation with representatives of the state and regional universities, the council for postsecondary education, and the state board of education shall assess the feasibility of establishing at least one campus educational research center to assist in educational research and the field testing of new innovations in curriculum design, teaching methodology, management practices, and school organizational structures.

The study shall include the following:

- (1) Assessment of the availability of educational research;
- (2) Recommendations on areas of educational research needs;
- (3) Evaluation of the need for a campus educational research center;
- (4) Recommendations on potential sites;
- (5) Recommended organization and management of a center; and
- (6) Analysis of the cost of establishing and operating a center.

The superintendent of public instruction shall report to the legislature by January 1, 1985. The superintendent of public instruction shall also make available to the temporary committee on educational policies, structure and management, prior to the presentation of the final plan, such information as may be developed in the preparation of the plan.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

School districts may continue to provide compensation to staff for additional work or assigned projects conducted in addition to a district's basic education program. Such compensation, however, may not be applied to the district's salary schedule or be provided in a manner which would increase the state's basic education funding obligation.

NEW SECTION. Sec. 6. The Washington state legislature intends to study the appropriate salary levels of educators. The study shall:

- (1) Compare teachers and administrators to persons in public and private occupations in this state holding positions requiring or imposing similar training, responsibilities, judgment, knowledge, skills, length of work year and working conditions on an hourly wage basis, annual salary basis, average salary basis, range between minimum and maximum salary basis, and benefit basis;
- (2) Compare Washington state teachers and administrators to teachers and administrators in other states on the bases under subsection (1) of this section; and
- (3) Compare the workloads of Washington state teachers and administrators with teachers and administrators in other states.

The superintendent of public instruction shall contract for a study to assist the legislature in the study. The study shall be completed and the results reported to the legislature by January 1, 1985. The superintendent of public instruction shall also make available to the temporary committee on educational policies, structure and management, prior to the presentation of the final report, such data as may be developed as part of the study. The legislature is not obligated to implement any or all of the results contained in such study.

NEW SECTION. Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

Beginning during the fall term of the 1984-85 school year, the boards of regents or trustees of each of the state's regional universities, state universities, The Evergreen State College, and the various community colleges shall waive tuition, operating and service and activities fees for recipients of the Washington scholars award established under RCW 28A.58.820 through 28A.58.832. These waivers are subject to the following limitations:

(1) The student shall begin using the waiver within twenty calendar months after receiving the award;

(2) The waiver shall be in effect for a maximum of three quarters or two semesters during which the student shall maintain continuous enrollment, except for any one quarter or semester; and

(3) The student must maintain full-time status.

This section shall expire June 30, 1994.

Sec. 8. Section 7, chapter 54, Laws of 1981 and RCW 28A.58.832 are each amended to read as follows:

The Washington scholars program shall begin with the school year 1981-82. The council for postsecondary education is directed to report fully on the results and effectiveness of the program including the tuition waiver program under section 7 of this 1984 act to the ((1983)) legislature and to the governor on or before January 15 of each odd-numbered year.

NEW SECTION. Sec. 9. There is appropriated from the general fund to the superintendent of public instruction for the remainder of the 1983-85 biennium the sum of two hundred twenty-five thousand dollars or so much thereof as may be necessary to carry out the purposes of this act.

(1) A maximum of seventy-five thousand dollars may be allocated to educational service districts to provide training as authorized in section 1 of this act.

(2) A maximum of fifty thousand dollars may be awarded on a competitive grant basis to three school districts to establish building-based management pilot projects as authorized in section 3 of this act.

(3) A maximum of fifty thousand dollars may be expended by the office of the superintendent of public instruction to assess the feasibility of establishing a campus education research center as required in section 4 of this act.

(4) A maximum of fifty thousand dollars may be expended by the superintendent of public instruction to study the appropriate salary levels of educators as required in section 6 of this act.

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."

On page 1, line 1 of the title, after "excellence;" strike the remainder of the title and insert "amending section 7, chapter 54, Laws of 1981 and RCW 28A.58.832; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; creating a new section; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; and making an appropriation."

Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Ebersole, Egger, Haugen, Heck, Holland, Johnson, Rust and Todd.

Voting nay: Representatives Berozoff, Chandler, Dickie, Fuhrman, Long, Schoon and Taylor.

Referred to Committee on Ways & Means.

February 21, 1984

SB 4401 Prime Sponsor, Senator Thompson: Permitting port commissions to negotiate the sale of property owned by the port district. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8 after "sale" insert "by at least a two-thirds vote of the full commission"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Smitherman, Todd and Van Dyken.

Voting nay: Representative Isaacson.

Absent: Representatives Todd and Van Luven.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4407 Prime Sponsor, Senator Hurley: Modifying provisions relating to the compensation of school district administrators. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brække, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representative Cantu.

Absent: Representatives Ellis and Fiske.

Passed to Committee on Rules for second reading.

February 21, 1984

ESSB 4430 Prime Sponsor, Committee on Judiciary: Modifying provisions relating to courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments: Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. This act may be known and cited as the court improvement act of 1984.

NEW SECTION. Sec. 2.

INDEX

- Administrator for the Courts, salary, sec. 405
- Appropriation to Administrator for the Courts—Distribution to Counties, sec. 901
- Attorneys' fees, secs. 88, 89
- Dispute Resolution Centers, secs. 501-510
- District Court Act
 - Civil jurisdiction increased, sec. 41
 - Court commissioner's authority, sec. 31
 - Distribution of moneys, secs. 306, 307
 - Service of process, secs. 701-703
 - Technical amendments, generally, secs. 1-86
- Effective Dates, sec. 903
- Judges' Salaries
 - Generally, secs. 401-404
 - Supreme Court, sec. 401
 - Court of Appeals, sec. 402
 - Superior Court, sec. 403
- Judicial Administration Commission
 - Generally, secs. 601-603
 - Administrator for the Courts, duties, sec. 602
 - Appropriation, sec. 902
 - Compensation, sec. 601
 - Duties, sec. 603
 - Membership, sec. 601
 - Report to Legislature, sec. 603
- Judicial impact notes, sec. 604
- Mandatory arbitration, establishment of program, sec. 511
- Municipal Courts
 - Restrictions on termination, secs. 201-203, 210
 - Distribution of moneys, secs. 303, 304, 319
 - Reorganization of Municipal Court statutes, secs. 101-135
 - Repeal of Municipal Criminal Code, secs. 202-209
 - Sentencing Authority, secs. 801-807
- Municipal Criminal Codes
 - Restrictions on repeal, secs. 203-209
- Referees in civil actions, secs. 512-524
- Repealed statutes
 - Distribution of moneys, sec. 339
 - Justice of Peace statutes, secs. 80-86
 - Judges' salaries, sec. 404
 - Municipal Court reorganization, secs. 130-135
- Sentencing Authority of Municipal Courts, secs. 801-807

Sec. 3. Section 1, chapter 299, Laws of 1961 as last amended by section 1, chapter 151, Laws of 1979 and RCW 3.30.010 are each amended to read as follows:

As used ~~((herein))~~ in this chapter unless the context clearly requires otherwise:

'City' means an incorporated city or town.

'Department' means ~~((the designation of))~~ an administrative unit of a ~~((justice))~~ district court established for the orderly and efficient administration of ~~((justice court))~~ business and may include, without being limited in scope thereby, a unit or units for determining ~~((one or more of the following:))~~ traffic cases, violations of city ordinances, violations of state law, criminal cases, civil cases, or jury cases.

'Population' means the latest population of the judicial district of each county as estimated and certified by the office of financial management. The office of financial management, on or before May 1, 1970 and on or before May 1st each four years thereafter, shall estimate and certify to the ~~((board of county commissioners))~~ county legislative authority the population of each judicial district of each county.

Sec. 4. Section 3, chapter 299, Laws of 1961 as amended by section 1, chapter 73, Laws of 1971 and RCW 3.30.030 are each amended to read as follows:

The judges ~~((of the justice court))~~ of each ~~((justice))~~ district court district shall be the justices of the peace of the district elected or appointed as provided in chapters 3.30 through 3.74 RCW. Such courts shall alternately be referred to as district courts and the judges thereof as district judges.

Sec. 5. Section 4, chapter 299, Laws of 1961 and RCW 3.30.040 are each amended to read as follows:

The ~~((justice))~~ district courts shall be open except on nonjudicial days. Sessions of the court shall be held at such places as shall be provided by the ~~((justice))~~ district court districting plan. The court shall sit as often as business requires in each city of the ~~((justice court))~~ district which provides suitable courtroom facilities, to hear causes in which such city is the plaintiff.

Sec. 6. Section 5, chapter 299, Laws of 1961 as amended by section 2, chapter 73, Laws of 1971 and RCW 3.30.050 are each amended to read as follows:

Each ~~((judge is authorized to organize his court not inconsistent))~~ court may be organized in a manner consistent with the departments created by the districting plan.

Sec. 7. Section 8, chapter 299, Laws of 1961 and RCW 3.30.080 are each amended to read as follows:

The supreme court may adopt rules of procedure for ~~((justice))~~ district courts ~~((--PROVIDED, That the justice courts)).~~ A district court may adopt local rules of procedure which are not inconsistent with state law or with the rules adopted by the supreme court. If the rules of the supreme court ~~((herein))~~ authorized ~~((shall be))~~ under this section are adopted, all procedural laws in conflict ~~((therewith))~~ with the rules shall ~~((thenceforth))~~ be of no effect.

Sec. 8. Section 11, chapter 299, Laws of 1961 as last amended by section 1, chapter 29, Laws of 1982 and RCW 3.34.020 are each amended to read as follows:

In each ~~((justice court))~~ district having a population of forty thousand or more but less than sixty thousand, there shall be elected one full time justice of the peace; in each ~~((justice court))~~ district having a population of sixty thousand but less than one hundred twenty-five thousand, there shall be elected two full time justices; in each ~~((justice court))~~ district having a population of one hundred twenty-five thousand but less than two hundred thousand, there shall be elected three full time justices; and in each ~~((justice court))~~ district having a population of two hundred thousand or more there shall be elected one additional full time justice for each additional one hundred thousand persons or fraction thereof ~~((--PROVIDED, That)).~~ If a ~~((justice court))~~ district having one or more full time justices should change in population, for reasons other than change in district boundaries, sufficiently to require a change in the number of judges previously authorized to it, the change shall be made by the county ~~((commissioners))~~ legislative authority without regard to RCW 3.34.010 as now or hereafter amended and shall become effective on the second Monday of January of the year following ~~((--PROVIDED FURTHER, That)).~~ Upon any redistricting of the county thereafter ~~((RCW 3.34.010, as now or hereafter amended, shall again designate))~~ the number of justices in the county ~~((--PROVIDED, That))~~ shall be designated under RCW 3.34.010. In a ~~((justice court))~~ district having a population of one hundred twenty thousand people or more adjoining a metropolitan county of another state which has a population in excess of five hundred thousand, there shall be one full time justice in addition to the number otherwise allowed by this section and without regard to RCW 3.34.030 or resolution of the county ~~((commissioners--PROVIDED FURTHER, That))~~ legislative authority. The county ~~((commissioners))~~ legislative authority may by resolution make a part time position a full time office ~~((--PROVIDED FURTHER, That)).~~ The county ~~((commissioners))~~ legislative authority may by resolution provide for the election of one full time justice in addition to the number of full time justices authorized ~~((hereinbefore)).~~

Sec. 9. Section 12, chapter 299, Laws of 1961 as amended by section 2, chapter 66, Laws of 1969 ex. sess. and RCW 3.34.030 are each amended to read as follows:

Notwithstanding the limitations of RCW 3.34.010 and 3.34.020 in any district having more than one justice of the peace, if any city or town elects to select under the provisions of chapter 3.50 RCW a person other than a justice of the peace to serve as municipal judge, the ~~((board~~

of) county ((~~commissioners~~)) legislative authority may reduce the number of justices of the peace required for the county and district by one for each one hundred and fifty thousand persons or fraction thereof residing in all such municipalities, electing to select a municipal judge who is not also a justice of the peace: PROVIDED, That in no case shall the number of justices of the peace in any county be less than one for each one hundred thousand persons or major fraction thereof in such county, nor shall the number of justices of the peace in any district be less than one for each one hundred and fifty thousand persons or major fraction thereof.

Sec. 10. Section 13, chapter 299, Laws of 1961 as last amended by section 1, chapter 195, Laws of 1983 and RCW 3.34.040 are each amended to read as follows:

((~~Justices of the peace~~)) A district judge serving a district(s) having a population of forty thousand or more persons, and ((~~justices~~)) a district judge receiving a salary greater than the maximum salary provided in RCW 3.58.020((~~f~~))(6) ((~~for serving as a justice~~)) shall be deemed full time ((~~justices~~)) judges and shall devote all of their time to the office and shall not engage in the practice of law. Other ((~~justices~~)) judges shall devote sufficient time to the office to properly fulfill the duties thereof and may engage in other occupations ((~~but such justice shall not use the office or supplies furnished by the judicial district for his private business~~)) but shall maintain a separate office for ((~~his~~)) private business ((~~nor~~)) and shall ((~~he~~)) not use for private business the services of any clerk or secretary paid for by the county ((~~for his private business~~)) or office space or supplies furnished by the judicial district.

Sec. 11. Section 14, chapter 299, Laws of 1961 as amended by section 8, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 3.34.050 are each amended to read as follows:

At the general election in November, 1962 and quadrennially thereafter, there shall be elected by the voters of each ((~~justice~~)) district court district the number of ((~~justices of the peace~~)) judges authorized for ((~~such~~)) the district by the ((~~justice~~)) district court districting plan. ((~~Justices of the peace~~)) judges shall be elected for each district by the qualified electors of the ((~~justice court~~)) district in the same manner as judges of courts of record are elected. Not less than ten days before the time for filing declarations of candidacy for the election of ((~~justices of the peace~~)) judges for ((~~justice court~~)) districts entitled to more than one ((~~justice of the peace~~)) judge, the county auditor shall designate each such office of ((~~justice of the peace~~)) district judge to be filled by a number, commencing with the number one and numbering the remaining offices consecutively. ((~~Each candidate~~)) At the time of the filing of ((~~his~~)) the declaration of candidacy, each candidate shall designate by number which one, and only one, of the numbered offices for which he or she is a candidate and the name of ((~~such~~)) the candidate shall appear on the ballot for only the numbered office for which the candidate filed ((~~his~~)) a declaration of candidacy.

Sec. 12. Section 15, chapter 299, Laws of 1961 and RCW 3.34.060 are each amended to read as follows:

To be eligible to file a declaration of candidacy for and to serve as a ((~~justice of the peace~~)) district court judge, a person must:

- (1) Be a registered voter of the ((~~justice~~)) district court district; and
- (2) Be either:
 - (a) A lawyer admitted to practice law in the state of Washington; or
 - (b) A person who has been elected and has served as a justice of the peace, district judge, municipal judge, or police judge in Washington; or
 - (c) In those districts having a population of less than ten thousand persons, a person who has taken and passed ((~~such~~)) the qualifying examination for the office of ((~~justice of the peace~~)) district judge as shall be provided by rule of the supreme court.

Sec. 13. Section 16, chapter 299, Laws of 1961 and RCW 3.34.070 are each amended to read as follows:

Every ((~~justice of the peace~~)) district judge shall hold office for a term of four years from and after the second Monday in January next succeeding his or her selection and continuing until ((~~his~~)) a successor is elected and qualified.

Sec. 14. Section 17, chapter 299, Laws of 1961 and RCW 3.34.080 are each amended to read as follows:

Each ((~~justice of the peace~~, ~~justice of the peace~~)) district judge, district judge pro tempore and ((~~justice~~)) district court commissioner shall, before entering upon the duties of ((~~such~~)) office, take an oath to support the Constitution of the United States and the Constitution and laws of the state of Washington, and to perform the duties of the office faithfully and impartially and to the best of his or her ability.

Sec. 15. Section 18, chapter 299, Laws of 1961 as amended by section 5, chapter 73, Laws of 1971 and RCW 3.34.090 are each amended to read as follows:

The county ((~~commissioners~~)) legislative authority shall provide for the bonding of each district judge, ((~~justice of the peace~~, ~~justice of the peace~~)) district judge pro tempore, ((~~justice~~)) district court commissioner, clerk of the district court, and court employee, at the expense of the county, in such amount as the county ((~~commissioners~~)) legislative authority shall prescribe, conditioned that each such person will pay over according to law all moneys which shall come into ((~~his hands~~)) the person's custody in causes filed in ((~~his~~)) the district court. Such bond shall not be less than the maximum amount of money liable to be under the control, at any one

time, of each such person in the performance of his or her duties. Such bond may be a blanket bond. If the county obtains errors and omissions insurance covering district court personnel, the costs of such coverage shall be a reimbursable expense pursuant to RCW 3.62.050 as now or hereafter amended.

Sec. 16. Section 19, chapter 299, Laws of 1961 and RCW 3.34.100 are each amended to read as follows:

If ~~((any justice))~~ a district judge dies, resigns, is convicted of a felony, ~~((or))~~ ceases to reside in the district ~~((or))~~, fails to serve for any reason except temporary disability, or if his or her term of office is terminated in any other manner, the office shall be deemed vacant. The ~~((board of county commissioners))~~ county legislative authority shall fill all vacancies by appointment and the ~~((justice))~~ judge thus appointed shall hold office until the next general election and until ~~((his))~~ a successor is elected and qualified. ~~((Justices of peace))~~ District judges shall be granted sick leave in the same manner as other county employees.

Sec. 17. Section 20, chapter 299, Laws of 1961 and RCW 3.34.110 are each amended to read as follows:

A ~~((justice of the peace))~~ district judge shall not act as judge in any of the following cases:

(1) In an action to which ~~((he))~~ the judge is a party, or in which ~~((he))~~ the judge is directly interested, or in which ~~((he))~~ the judge has been an attorney for a party.

(2) When ~~((he))~~ the judge or one of the parties believes that the parties cannot have an impartial trial before ~~((him-PROVIDED-That))~~ the judge. Only one change of judges shall be allowed each party under this subsection.

When a ~~((justice))~~ judge is disqualified under this section, the case shall be heard before another ~~((justice))~~ judge or ~~((justice))~~ judge pro tempore of the same county.

Sec. 18. Section 21, chapter 299, Laws of 1961 and RCW 3.34.120 are each amended to read as follows:

~~((If a justice of the peace be a lawyer, his))~~ The partner and associates of a judge who is a lawyer shall not practice law before ~~((him))~~ the judge.

Sec. 19. Section 22, chapter 299, Laws of 1961 as last amended by section 2, chapter 195, Laws of 1983 and RCW 3.34.130 are each amended to read as follows:

(1) Each ~~((justice))~~ district court shall designate one or more ~~((justices of the peace))~~ persons as judge pro tempore who shall serve during the temporary absence, disqualification, or incapacity of a ~~((justice of the peace of the))~~ district judge. The qualifications of a ~~((justice of the peace))~~ judge pro tempore shall be the same as for a ~~((justice of the))~~ district judge, except that with respect to RCW 3.34.060(1), the person appointed need only be a registered voter of the ~~((county in which the justice court district or portion thereof is located))~~ state. A ~~((justice of the peace))~~ judge pro tempore may sit in any district of the county for which he or she is appointed. A ~~((justice of the peace))~~ judge pro tempore shall be paid for each day he or she holds a session one-two hundred fiftieth of the annual salary of a full time ~~((justice of the))~~ district judge. For each day that a ~~((justice of the peace))~~ judge pro tempore serves in excess of thirty days during any calendar year, the annual salary of the ~~((justice of the peace))~~ judge in whose place he or she serves shall be reduced by an amount equal to one-two hundred fiftieth of such salary: PROVIDED, That each full time ~~((justice of the peace))~~ district judge shall have up to fifteen days annual leave without reduction for service on judicial commissions established by the legislature or the chief justice of the supreme court. No reduction in salary shall occur when a judge pro tempore serves while a district judge is using sick leave granted in accordance with RCW 3.34.100.

(2) The legislature may appropriate money from the judiciary education account to the administrator for the courts pursuant to RCW 2.56.100 for the purpose of reimbursing counties for the salaries of ~~((justices of the peace))~~ judges pro tempore for certain days in excess of thirty worked per year the ~~((justice of the peace))~~ judge pro tempore was required to work as the result of service by a ~~((justice of the peace))~~ judge on a commission as authorized under subsection (1) of this section. No later than September 1 of each year, each county treasurer shall certify to the administrator for the courts for the year ending the preceding June 30, the number of days in excess of thirty that any ~~((justice of the peace))~~ judge pro tempore was required to work as the result of service by a ~~((justice of the peace))~~ judge on a commission as authorized under subsection (1) of this section. Upon receipt of the certification, the administrator for the courts shall reimburse the county from money appropriated for that purpose.

Sec. 20. Section 23, chapter 299, Laws of 1961 as amended by section 5, chapter 186, Laws of 1981 and RCW 3.34.140 are each amended to read as follows:

Any ~~((justice of the peace))~~ district judge may hold a session in any ~~((justice court))~~ district in the state, at the request of the ~~((justice))~~ judge or majority of ~~((justices))~~ judges in ~~((such))~~ the district if the visiting ~~((justice of the peace))~~ judge determines that the state of ~~((justice court))~~ business in his or her district ~~((will permit him to be absent-PROVIDED-That))~~ allows the judge to be absent. The ~~((board of county commissioners of the))~~ county legislative authority in which ~~((such justice))~~ the district court is located shall first approve ~~((such))~~ the temporary absence and ~~((no justice of the peace))~~ the judge pro tempore shall not be required to serve during ~~((his))~~ the judge's absence. A visiting ~~((justice))~~ judge shall be entitled to reimbursement for

subsistence, lodging, and travel expenses in accordance with the rates applicable to state officers under RCW 43.03.050 and 43.03.060 as now or hereafter amended while so acting, to be paid by the visited district (~~(-PROVIDED, That no such)~~). These expenses shall not be paid to the visiting (~~(justice))~~ judge unless the (~~(county commissioners))~~ legislative authority of the county in which the visited district is located (~~(shall have consented and))~~ has approved (~~(thereto prior to such))~~ the payment before the visit.

Sec. 21. Section 24, chapter 299, Laws of 1961 and RCW 3.34.150 are each amended to read as follows:

~~(Where a justice court))~~ If a district has more than one (~~(justice))~~ judge, the supreme court may by rule provide for the manner of selection of one of the (~~(justices))~~ judges to serve as presiding judge and prescribe (~~(his))~~ the presiding judge's duties.

Sec. 22. Section 25, chapter 299, Laws of 1961 and RCW 3.38.010 are each amended to read as follows:

There is established in each county a (~~(justice))~~ district court districting committee composed of the following:

(1) The judge of the superior court, or, if there be more than one such judge, then one of the judges selected by that court;

(2) The prosecuting attorney, or a deputy selected by (~~(him))~~ the prosecuting attorney;

(3) A practicing lawyer of the county selected by the president of the largest local bar association, if there be one, and if not, then by the county (~~(commissioners))~~ legislative authority;

(4) A judge of (~~(an inferior court of))~~ a court of limited jurisdiction in the county selected by the president of the Washington state magistrates' association; and

(5) The mayor, or (~~(his))~~ representative appointed by the mayor, of each first, second, and third class city of the county;

(6) One person to represent the fourth class cities of the county, if any, to be designated by the president of the association of Washington cities: PROVIDED, That if there should be neither a first class nor a second class city within the county, the mayor, or (~~(his))~~ the mayor's representative, of each fourth class city shall be a member;

(7) The chairman of the (~~(board of county commissioners))~~ county legislative authority; and

(8) The county auditor.

Sec. 23. Section 26, chapter 299, Laws of 1961 as amended by section 1, chapter 110, Laws of 1965 ex. sess. and RCW 3.38.020 are each amended to read as follows:

~~(Upon the classification of any county as a class A county, or upon the adoption of a resolution by majority vote of the board of county commissioners of any county of the first, second, third, fourth, fifth, sixth, eighth or ninth class electing to make the provisions of chapters 3.36 through 3.74 RCW applicable to their county.))~~ The (~~(justice))~~ district court districting committee (~~(shall become activated and))~~ shall meet at the call of the prosecuting attorney to prepare a plan for the districting of the county into one or more (~~(justice))~~ district court districts in accordance with the provisions of chapters 3.30 through 3.74 RCW (~~(-which)),~~ The plan shall include the following:

(1) The boundaries of each (~~(justice court))~~ district proposed to be established;

(2) The number of (~~(justices))~~ judges to be elected in each (~~(justice court))~~ district;

(3) The location of the central office, courtrooms and records of each court;

(4) The other places in the (~~(justice court))~~ district, if any, where the court shall sit;

(5) The number and location of (~~(justice))~~ district court commissioners to be authorized, if any;

(6) The departments, if any, into which each (~~(justice))~~ district court shall be initially organized, including municipal departments provided for in chapter 3.46 RCW;

(7) The name of each (~~(justice court))~~ district; and

(8) The allocation of the time and allocation of salary of each (~~(justice))~~ judge who will serve part time in a municipal department.

~~(Not later than three months after the classification of the county as class A or the adoption of the elective resolution by the county commissioners, the plan shall be transmitted to the county commissioners.))~~

Sec. 24. Section 1, chapter 213, Laws of 1963 and RCW 3.38.022 are each amended to read as follows:

The districting plan may provide that the offices and courtrooms of more than one (~~(justice court))~~ district may be in the same building: PROVIDED, That no office or courtroom of any district shall be located further than two miles outside the boundary of the district which it serves.

Sec. 25. Section 27, chapter 299, Laws of 1961 as amended by section 2, chapter 110, Laws of 1965 ex. sess. and RCW 3.38.030 are each amended to read as follows:

Upon receipt of the (~~(justice court))~~ districting plan, the county (~~(commissioners))~~ legislative authority shall hold a public hearing, pursuant to the provisions of RCW 36.32.120(7), as now or hereafter amended. At the hearing, anyone interested in the plan may attend and be heard as to the convenience which will be afforded to the public by the plan, and as to any other matters pertaining thereto. If the (~~(commissioners))~~ county legislative authority finds that the plan proposed by the districting committee conforms to the standards set forth in chapters 3.30

through 3.74 RCW and is conducive to the best interests and welfare of the county(;) as a whole it may adopt such plan. If the ((commissioners)) county legislative authority finds that ((such)) the plan does not conform to the standards as provided in chapters 3.30 through 3.74 RCW. ((they)) the county legislative authority may modify, revise or amend the plan and adopt such amended or revised plan as the county's ((justice)) district court districting plan. The plan decided upon shall be adopted by the county ((commissioners)) legislative authority not later than six months after the classification of the county as class A or the adoption of the elective resolution.

Sec. 26. Section 3, chapter 110, Laws of 1965 ex. sess. and RCW 3.38.031 are each amended to read as follows:

As a part of the ((justice court)) districting plan, the county ((commissioners)) legislative authority shall designate a date on which the terms of the ((justices of the peace)) district judges of the county shall end.

For each ((justice)) judicial position under the districting plan, the county ((commissioners)) legislative authority shall appoint a person qualified under RCW 3.34.060 who shall take office on the date designated by the county ((commissioners)) legislative authority and shall serve until the next quadrennial election of ((justices of the peace)) district judges as provided in RCW 3.34.050.

Pending cases, proceedings, and matters shall be transferred to the appropriate court as provided in RCW 3.74.900.

Sec. 27. Section 28, chapter 299, Laws of 1961 as amended by section 3, chapter 66, Laws of 1969 ex. sess. and RCW 3.38.040 are each amended to read as follows:

The districting committee may meet for the purpose of amending the districting plan at any time on call of the county ((commissioners)) legislative authority, the ((chairman)) chairperson of the committee or a majority of its members. Amendments to the plan shall be submitted to the county ((commissioners)) legislative authority not later than March 15th of each year for adoption by the ((commissioners)) county legislative authority following the same procedure as with the original districting plan. Amendments shall be adopted not later than May 1st following submission by the districting committee. Any ((such)) amendment which would reduce the salary or shorten the term of any judge shall not be effective until the next regular election for ((justice of the peace)) district judge. All other amendments may be effective on a date set by the county ((commissioners)) legislative authority.

Sec. 28. Section 29, chapter 299, Laws of 1961 and RCW 3.38.050 are each amended to read as follows:

((Justice)) District court districts shall be established in accordance with the following standards:

- (1) Every part of the county shall be in some ((justice court)) district.
- (2) The whole county may constitute one ((justice court)) district.
- (3) There shall not be more ((justice court)) districts than there are ((justices of the peace)) judges authorized for the county.

(4) ((No justice court)) A district boundary shall not intersect the boundary of an election precinct.

- (5) ((No)) A city shall not lie in more than one ((justice court)) district.

(6) Whenever a county is divided into more than one ((justice court)) district, each district shall be so established as best to serve the convenience of the people of ((such)) the district, considering the distances which must be traveled by parties and witnesses in going to and from the court and any natural barriers which may obstruct such travel.

Sec. 29. Section 30, chapter 299, Laws of 1961 and RCW 3.38.060 are each amended to read as follows:

Joint ((justice court)) districts may be established containing all or part of two or more counties. The county containing the largest portion of the population of ((such)) a joint district shall be known as the 'principal county' and each joint ((justice court)) district shall be deemed to lie within the principal county for the purpose of chapters 3.30 through 3.74 RCW. A joint ((justice court)) district may be established by resolution of one county concerned in by a resolution of each other county: PROVIDED, That the county ((commissioners)) legislative authority of a county containing the largest portion of the population of a city may include the portions of such city lying outside the county in a joint ((justice court)) district without concurrence of the other counties.

Elections of ((justices)) judges in joint ((justice court)) districts shall be conducted and canvassed in the same manner as elections of superior court judges in joint judicial districts.

Sec. 30. Section 31, chapter 299, Laws of 1961 as amended by section 7, chapter 162, Laws of 1980 and RCW 3.42.010 are each amended to read as follows:

When so authorized by the ((justice court)) districting plan, one or more ((justice)) district court commissioners may be appointed in any ((justice court)) district by the ((justices of the peace of such)) judges of the district. Each commissioner shall be a registered voter of the county in which the ((justice court)) district or a portion thereof is located, and shall hold office ((during)) at the pleasure of the ((justices of the peace appointing him: PROVIDED, That)) appointing judges. Any person appointed as a commissioner authorized to hear or dispose of

cases shall be a lawyer who is admitted to the practice of law in the state of Washington or who has passed the qualifying examination for lay ~~((justices of the peace))~~ judges as provided under RCW 3.34.060.

Sec. 31. Section 32, chapter 299, Laws of 1961 as amended by section 16, chapter 136, Laws of 1979 ex. sess. and RCW 3.42.020 are each amended to read as follows:

Each ~~((justice))~~ district court commissioner shall have such power, authority, and jurisdiction in criminal and civil matters as the ~~((justices of the peace who appointed him))~~ appointing judges possess and shall prescribe. ~~((Justice court commissioners shall not have power to hear and determine civil matters other than traffic infractions:))~~

Sec. 32. Section 33, chapter 299, Laws of 1961 and RCW 3.42.030 are each amended to read as follows:

Any party may have a case transferred from a ~~((justice))~~ district court commissioner to a ~~((justice of the peace))~~ judge of the same district for hearing, by filing a motion for transfer. The commissioner shall forthwith transfer the case to ~~((such justice))~~ the judge.

Sec. 33. Section 34, chapter 299, Laws of 1961 as amended by section 4, chapter 66, Laws of 1969 ex. sess. and RCW 3.42.040 are each amended to read as follows:

~~((Justice))~~ District court commissioners shall receive such compensation as the county ~~((commissioners))~~ legislative authority or city council shall provide.

Sec. 34. Section 98, chapter 299, Laws of 1961 as amended by section 6, chapter 73, Laws of 1971 and RCW 3.54.010 are each amended to read as follows:

The clerk and deputy clerks of district courts shall receive such compensation as shall be provided by the county ~~((commissioners))~~ legislative authority.

Sec. 35. Section 101, chapter 299, Laws of 1961 as last amended by section 2, chapter 29, Laws of 1982 and RCW 3.58.020 are each amended to read as follows:

~~((†))~~ The annual salaries of part time ~~((justices of the peace))~~ district judges shall be set by the county ~~((commissioners))~~ legislative authority in each county in accordance with the minimum and maximum salaries provided in this subsection:

~~((†))~~ (1) In ~~((justice court))~~ districts having a population under two thousand five hundred persons, the salary shall be not less than one thousand five hundred dollars nor more than twelve thousand dollars;

~~((†))~~ (2) In ~~((justice court))~~ districts having a population of two thousand five hundred persons or more, but less than five thousand, the salary shall be set at not less than one thousand eight hundred dollars nor more than fifteen thousand five hundred dollars;

~~((†))~~ (3) In ~~((justice court))~~ districts having a population of five thousand persons or more, but less than seven thousand five hundred, the salary shall be set at no less than one thousand eight hundred or more than twenty-five thousand dollars;

~~((†))~~ (4) In ~~((justice court))~~ districts having a population of seven thousand five hundred persons or more, but less than ten thousand, the salary shall be set at not less than two thousand two hundred fifty dollars or more than thirty thousand dollars;

~~((†))~~ (5) In ~~((justice court))~~ districts having a population of ten thousand persons or more, but less than twenty thousand, the salary shall be set at no less than three thousand dollars or more than thirty-two thousand dollars;

~~((†))~~ (6) In ~~((justice court))~~ districts having a population of twenty thousand persons or more, but less than thirty thousand, the salary shall be set at not less than five thousand two hundred fifty dollars or more than forty thousand dollars.

Sec. 36. Section 102, chapter 299, Laws of 1961 and RCW 3.58.030 are each amended to read as follows:

The compensation of ~~((justices of the peace))~~ judges, clerks, judges pro tempore, deputy clerks, and court commissioners payable by the county shall be paid monthly out of the county treasury from the same funds out of which other salaried county officers are paid.

Sec. 37. Section 103, chapter 299, Laws of 1961 as amended by section 3, chapter 3, Laws of 1983 and RCW 3.58.040 are each amended to read as follows:

~~((Justices of the peace, justices of the peace))~~ District judges, judges pro tempore, court commissioners, and ((justice)) district court employees shall receive their reasonable traveling expenses when engaged in the business of the court as provided in chapter 42.24 RCW.

Sec. 38. Section 104, chapter 299, Laws of 1961 as amended by section 3, chapter 213, Laws of 1963 and RCW 3.58.050 are each amended to read as follows:

The county ~~((commissioners))~~ legislative authority shall furnish all necessary facilities for the ~~((justice))~~ district courts, including suitable courtrooms, furniture, books, stationery, postage, office equipment, heat, light and telephone and may lease or construct courtrooms and offices for such purpose ~~((-PROVIDED, That))~~. The county ~~((commissioners))~~ legislative authority shall not be required to furnish courtroom space in any place other than as provided in the districting plan.

Sec. 39. Section 111, chapter 299, Laws of 1961 as last amended by section 14, chapter 128, Laws of 1980 and RCW 3.62.070 are each amended to read as follows:

Except in traffic cases wherein bail is forfeited or a monetary penalty paid to a violations bureau, and except in cases filed in municipal departments established pursuant to chapter 3.46 RCW and except in cases where a city has contracted with another city for such services

pursuant to chapter 39.34 RCW, in every criminal or traffic infraction action filed by a city for an ordinance violation, the city shall be charged a filing fee determined pursuant to an agreement as provided for in chapter 39.34 RCW, the interlocal cooperation act, between the city and the county providing the court service. In such criminal or traffic infraction actions the cost of providing services necessary for the preparation and presentation of a defense at public expense are not within the filing fee and shall be paid by the city. In all other criminal or traffic infraction actions, no filing fee shall be assessed or collected; PROVIDED, That in such cases, for the purposes of RCW 3.62.010, four dollars or the agreed filing fee of each fine or penalty, whichever is greater, shall be deemed filing costs. In the event no agreement is reached between a municipal corporation and the county providing the court service within ninety days of September 1, 1979, the municipal corporation and the county shall be deemed to have entered into an agreement to submit the issue to arbitration pursuant to chapter 7.04 RCW, and the municipal corporation and the county shall be entitled to the same rights and subject to the same duties as other parties who have agreed to submit to arbitration pursuant to chapter 7.04 RCW. In the event that such issue is submitted to arbitration, the arbitrator or arbitrators shall only consider those additional costs borne by the county in providing ((justice)) district court services for such city.

Sec. 40. Section 112, chapter 299, Laws of 1961 as amended by section 20, chapter 136, Laws of 1979 ex. sess. and RCW 3.66.010 are each amended to read as follows:

The justices of the peace elected in accordance with chapters 3.30 through 3.74 RCW are authorized to hold court as judges of the ((justice)) district court for the trial of all actions enumerated in chapters 3.30 through 3.74 RCW or assigned to the ((justice)) district court by law; to hear, try, and determine the same according to the law, and for that purpose where no special provision is otherwise made by law, such court shall be vested with all the necessary powers which are possessed by courts of record in this state; and all laws of a general nature shall apply to such ((justice)) district court as far as the same may be applicable and not inconsistent with the provisions of chapters 3.30 through 3.74 RCW. The ((justice)) district court shall, upon the demand of either party, impanel a jury to try any civil or criminal case in accordance with the provisions of chapter 12.12 RCW(~~PROVIDED, That in the trial of actions brought for violating any city ordinance, a jury trial shall be allowed only for criminal offenses involving the revocation or suspension of a driver's license or other gross misdemeanor; PROVIDED FURTHER, That~~). No jury trial may be held in a proceeding involving a traffic infraction.

Sec. 41. Section 113, chapter 299, Laws of 1961 as last amended by section 7, chapter 331, Laws of 1981 and RCW 3.66.020 are each amended to read as follows:

The ((justice)) district court shall have jurisdiction and cognizance of the following civil actions and proceedings:

(1) Of an action arising on contract for the recovery of money only in which the sum claimed does not exceed ((three thousand)) seven thousand five hundred dollars;

(2) Of an action for damages for injuries to the person, or for taking or detaining personal property, or for injuring personal property, or for an injury to real property when no issue raised by the answer involves the plaintiff's title to or possession of the same, when the amount of damages claimed does not exceed ((three thousand)) seven thousand five hundred dollars; also of actions to recover the possession of personal property when the value of such property as alleged in the complaint, does not exceed ((three thousand)) seven thousand five hundred dollars;

(3) Of an action for a penalty not exceeding ((three thousand)) seven thousand five hundred dollars;

(4) Of an action upon a bond conditioned for the payment of money, when the amount claimed does not exceed ((three thousand)) seven thousand five hundred dollars, though the penalty of the bond exceeds that sum, the judgment to be given for the sum actually due, not exceeding the amount claimed in the complaint;

(5) Of an action on an undertaking or surety bond taken by ((him or his predecessor in office)) the court, when the amount claimed does not exceed ((three thousand)) seven thousand five hundred dollars;

(6) Of an action for damages for fraud in the sale, purchase, or exchange of personal property, when the damages claimed do not exceed ((three thousand)) seven thousand five hundred dollars;

(7) To take and enter judgment on confession of a defendant, when the amount of the judgment confessed does not exceed ((three thousand)) seven thousand five hundred dollars;

(8) To issue writs of attachment, garnishment and replevin upon goods, chattels, moneys, and effects, when the amount does not exceed ((three thousand)) seven thousand five hundred dollars; and

(9) Of all other actions and proceedings of which jurisdiction is specially conferred by statute, when the amount involved does not exceed ((three thousand)) seven thousand five hundred dollars and the title to, or right of possession of, or a lien upon real property is not involved.

The ((three thousand)) seven thousand five hundred dollar((s)) amounts provided in subsections (1) through (9) of this section shall remain in effect until June 30, ((1981; effective July 1;

~~1981~~) 1985; effective July 1, 1985, such amount shall be increased to ~~((five)) ten~~ thousand dollars. ~~((Effective July 1, 1983, the amounts shall be increased to seventy-five hundred dollars.))~~

The amounts of money referred to in this section shall be exclusive of interest, costs and attorney's fees.

Sec. 42. Section 115, chapter 299, Laws of 1961 and RCW 3.66.040 are each amended to read as follows:

(1) An action arising under RCW 3.66.020~~((subsections))~~ (1), (2) except for the recovery of possession of personal property, (4), (6), (7), and (9) may be brought in any ~~((justice court))~~ district in which the defendant, or, if there be more than one defendant, where some one of the defendants, resides at the time the complaint is filed or in which the defendant, or if there be more than one defendant, where some one of the defendants may be served with the notice and complaint in which latter case, however, the ~~((justice court))~~ district where the defendant or defendants is or are served must be within the county in which the said defendant or defendants reside.

(2) An action arising under RCW 3.66.020~~((sub-section))~~(2) for the recovery of possession of personal property and ~~((section))~~ RCW 3.66.020(8) shall be brought in the district in which the subject matter of the action or some part thereof is situated.

(3) An action arising under RCW 3.66.020~~((sub-section))~~ (3) and (5) shall be brought in the district in which the cause of action, or some part thereof arose.

(4) An action arising under RCW 3.66.020~~((sub-section))~~(2)~~((:))~~ for the recovery of damages for injuries to the person or for injury to personal property arising from a motor vehicle accident may be brought, at the plaintiff's option, either in the district in which the cause of action, or some part thereof, arose, or in the district in which the defendant, or, if there be more than one defendant, where some one of the defendants, resides at the time the complaint is filed.

(5) An action against a nonresident of this state may be brought in any district where service of process may be had, or in which the cause of action or some part thereof arose, or in which the plaintiff or one of them resides.

(6) For the purposes of chapters 3.30 through 3.74 RCW, the residence of a corporation defendant shall be deemed to be in any district where the corporation transacts business or has an office for the transaction of business or transacted business at the time the cause of action arose or where any person resides upon whom process may be served upon the corporation, unless herein otherwise provided.

Sec. 43. Section 116, chapter 299, Laws of 1961 and RCW 3.66.050 are each amended to read as follows:

If a civil action is brought in the wrong ~~((justice court))~~ district, the action may nevertheless be tried therein unless the defendant, at the time ~~((he)) the defendant~~ appears, requests a transfer of the action to the proper district. Upon such demand an order shall be entered transferring the action to the proper district and awarding the defendant a reasonable attorney's fee to be paid by the plaintiff.

Sec. 44. Section 117, chapter 299, Laws of 1961 as last amended by section 176, chapter 46, Laws of 1983 1st ex. sess. and RCW 3.66.060 are each amended to read as follows:

The ~~((justice))~~ district court shall have jurisdiction: (1) Concurrent with the superior court of all misdemeanors and gross misdemeanors committed in their respective counties and of all violations of city ordinances~~((PROVIDED, That))~~. It shall in no event impose a greater punishment than a fine of ~~((one)) five~~ thousand dollars, or imprisonment for one year in the county or city jail as the case may be, or both such fine and imprisonment, unless otherwise expressly provided by statute~~((and))~~. It may suspend and revoke vehicle operator~~((s))~~'s licenses in the cases provided by law; (2) to sit as a committing magistrate~~((s))~~ and conduct preliminary hearings in cases provided by law; (3) concurrent with the superior court of a proceeding to keep the peace in their respective counties; (4) concurrent with the superior court of all violations under Title 75 RCW; and (5) to hear and determine traffic infractions under chapter 46.63 RCW.

Sec. 45. Section 7, chapter 110, Laws of 1965 ex. sess. as amended by section 1, chapter 29, Laws of 1975 and RCW 3.66.065 are each amended to read as follows:

If a defendant is found guilty, a ~~((justice))~~ judge holding office pursuant to chapters 3.30 through 3.74 RCW, or chapter 35.20 RCW, and not the jury, shall assess ~~((his))~~ punishment, notwithstanding the provisions of RCW 10.04.100. If ~~((such justice))~~ the judge determines that the punishment ~~((he is))~~ authorized ~~((to assess))~~ is inadequate compared to the gravity of the offense he or she may order such defendant to enter recognizance to appear in the superior court of the county and may also recognize the witnesses and shall proceed as a committing magistrate.

Sec. 46. Section 1, chapter 75, Laws of 1969 as amended by section 1, chapter 156, Laws of 1983 and RCW 3.66.067 are each amended to read as follows:

After a conviction, the court may defer sentencing the defendant and place ~~((him)) the defendant~~ on probation and prescribe the conditions thereof, but in no case shall it extend for more than two years from the date of conviction. During the time of the deferral, the court may, for good cause shown, permit a defendant to withdraw ~~((his)) the~~ plea of guilty~~((: permit him))~~ and to enter a plea of not guilty, and the court may dismiss the charges ~~((against him))~~.

Sec. 47. Section 118, chapter 299, Laws of 1961 as amended by section 32, chapter 165, Laws of 1983 and RCW 3.66.070 are each amended to read as follows:

All criminal actions shall be brought in the ~~((justice court))~~ district where the alleged violation occurred: PROVIDED, That (1) the prosecuting attorney may file felony cases in the district in which the county seat is located, (2) with the consent of the defendant criminal actions other than those arising out of violations of city ordinances may be brought in or transferred to the district in which the county seat is located, and (3) if the alleged violation relates to driving, or being in actual physical control of, a motor vehicle while intoxicated and the alleged violation occurred within a judicial district which has been designated an enhanced enforcement district under RCW 2.56.110, the charges may be filed in that district or in a district within the same county which is adjacent to the district in which the alleged violation occurred.

Sec. 48. Section 119, chapter 299, Laws of 1961 and RCW 3.66.080 are each amended to read as follows:

If a criminal action is commenced in an improper district under RCW 3.66.070, the ~~((justice))~~ court ~~((of the district))~~ may of its own volition or at the request of either party order the case removed for trial to a proper district.

Sec. 49. Section 120, chapter 299, Laws of 1961 as amended by section 1, chapter 241, Laws of 1967 and RCW 3.66.090 are each amended to read as follows:

A change of venue may be allowed upon motion:

(1) Where there is reason to believe that an impartial trial cannot be had in the district or municipal court in which the action was commenced; or

(2) Where the convenience of witnesses or the ends of justice would be forwarded by the change.

When such change is ordered, it shall be to the ~~((justice))~~ district court of another district in the same county, if any, otherwise to the ~~((justice))~~ district court of an adjacent district in another county: PROVIDED, That where an affidavit of prejudice is filed against a judge of a municipal court the cause shall be transferred to another department of the municipal court, if one exists, otherwise to a judge pro tempore appointed in the manner prescribed by law. The court to which a case is removed on change of venue under this section shall have the same jurisdiction, either civil or criminal to hear and determine the case as the court from which the case was removed.

Sec. 50. Section 123, chapter 299, Laws of 1961 and RCW 3.70.010 are each amended to read as follows:

There is established in the state an association, to be known as the Washington state magistrates' association, membership in which shall include all duly elected or appointed and qualified ~~((inferior court))~~ judges of courts of limited jurisdiction, including but not limited to ~~((justices of the peace))~~ district judges, police court judges and municipal court judges.

Sec. 51. Section 124, chapter 299, Laws of 1961 and RCW 3.70.020 are each amended to read as follows:

The first meeting of the Washington state magistrates' association shall be held at the next regular meeting of the present organization after June 7, 1961 to be held during the month of August or September, 1961, at which meeting those ~~((inferior court))~~ judges of courts of limited jurisdiction, as provided in RCW 3.70.010, attending shall temporarily organize themselves for the purpose of adopting a Constitution and bylaws and may either adopt or amend the present Constitution and bylaws of the Washington state magistrates' association or provide for bylaws only, electing officers as provided therein and doing all things necessary and proper to formally establish a permanent Washington state magistrates' association, after which meeting the association may meet each year during the month of August or September, beginning in 1962. Meetings shall be held in the state of Washington.

Sec. 52. Section 125, chapter 299, Laws of 1961 and RCW 3.70.030 are each amended to read as follows:

For attendance at the annual meetings of the association, beginning in 1962 and thereafter, ~~((an inferior court))~~ a judge of a court of limited jurisdiction shall be entitled to receive reimbursement for judge's reasonable travel expenses as provided in RCW 43.03.050 and 43.03.060 from the county or city responsible for the operating cost of the court over which he or she presides ~~((twenty dollars per day or major portion thereof))~~ while attending meetings of the association ~~((plus first class transportation or mileage allowance at the rate of ten cents per mile- PROVIDED, That))~~. The per diem and transportation or mileage allowance authorized by this section shall not be paid to any judge for more than five days in any one calendar year.

Sec. 53. Section 126, chapter 299, Laws of 1961 as amended by section 10, chapter 162, Laws of 1980 and RCW 3.70.040 are each amended to read as follows:

The Washington state magistrates' association shall:

(1) Continuously survey and study the operation of the courts served by its membership, the volume and condition of business of such courts, the methods of procedure therein, the work accomplished, and the character of the results;

(2) Promulgate suggested rules for the administration of the ~~((justice))~~ courts of limited jurisdiction not inconsistent with the law or rules of the supreme court relating to such courts;

(3) Report annually to the supreme court as well as the governor and the legislature on the condition of business in the courts of limited jurisdiction, including the association's recommendations as to needed changes in the organization, operation, judicial procedure, and laws or statutes implemented or enforced in these courts.

Sec. 54. Section 130, chapter 299, Laws of 1961 and RCW 3.74.010 are each amended to read as follows:

All ~~((justice court))~~ district judges under chapters 3.30 through 3.74 RCW shall remain members of the state retirement system.

Sec. 55. Section 131, chapter 299, Laws of 1961 and RCW 3.74.020 are each amended to read as follows:

The full time judges of the ~~((justice))~~ district court shall be ineligible to any other office, or public employment than a judicial office or employment during the term for which they shall have been elected.

Sec. 56. Section 1, chapter 6, Laws of 1969 ex. sess. and RCW 3.74.030 are each amended to read as follows:

A ~~((justice court))~~ district judge shall retire from judicial office at the end of the calendar year in which he or she has attained the age of seventy-five years. This provision shall not affect the term to which any such judge shall have been elected or appointed prior to August 11, 1969.

Sec. 57. Section 1, chapter 187, Laws of 1919 as last amended by section 10, chapter 331, Laws of 1981 and RCW 12.40.010 are each amended to read as follows:

~~((That))~~ In every ~~((justice))~~ district court ~~((of this state))~~ there shall be created and organized by the court a department to be known as the 'small claims department of the ~~((justice's))~~ district court'. ~~((If the justice court is operating under the provisions of chapters 3.30 through 3.74 RCW.))~~ The small claims department ~~((of that court))~~ shall have jurisdiction, but not exclusive, in cases for the recovery of money only ~~((where))~~ if the amount claimed does not exceed one thousand dollars. ~~((If the justice court is not operating under the provisions of chapters 3.30 through 3.74 RCW, the small claims department of that court shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed five hundred dollars.))~~

Sec. 58. Section 2, chapter 187, Laws of 1919 and RCW 12.40.020 are each amended to read as follows:

~~((Actions in such))~~ A small claims ~~((departments))~~ action shall be ~~((deemed))~~ commenced by the plaintiff ~~((appearing before the justice of the peace and subscribing to and verifying a claim as hereinafter provided))~~ filing a claim, in the form prescribed by RCW 12.40.050, in the small claims department. A filing fee of ten dollars shall be paid when the claim is filed.

Sec. 59. Section 2, chapter 83, Laws of 1970 ex. sess. and RCW 12.40.025 are each amended to read as follows:

A defendant in a ~~((justice))~~ district court proceeding ~~((wherein))~~ in which the claim is within the jurisdictional amount for the small claims department ~~((of the justice court))~~ may in accordance with court rules transfer the action to the small claims department ~~((PROVIDED; HOWEVER, That))~~. In the event of such a transfer the provisions of RCW 12.40.070 shall not be applicable if the plaintiff was an assignee of the claim at the time the action was commenced nor shall the provisions of RCW 12.40.080 prohibit an attorney from representing the plaintiff if he was the attorney of record for the plaintiff at the time the action was commenced.

Sec. 60. Section 3, chapter 187, Laws of 1919 as last amended by section 3, chapter 330, Laws of 1981 and RCW 12.40.030 are each amended to read as follows:

Upon filing ~~((said))~~ of a claim ~~((such justice of the peace shall appoint a)),~~ the court shall set a time for ~~((the))~~ hearing of ~~((said))~~ the matter and ~~((shall))~~ cause to be issued a notice of the claim ~~((as hereinafter provided.))~~ which shall be served upon the defendant.

~~((Said justice of the peace shall collect in advance upon each claim the sum of ten dollars; and this shall be the only fee for such justice of the peace to be charged or taxed against the plaintiff in such action during the pendency or disposition of said claim; PROVIDED; HOWEVER, That when any such "small claims department" shall be created and organized in any justice court as herein provided, in which the justice is not paid a salary, he may be paid as compensation for conducting such department from the county treasury of his county such monthly salary as the county court and commissioners of said county shall deem just and proper.))~~

Sec. 61. Section 4, chapter 187, Laws of 1919 as last amended by section 3, chapter 194, Laws of 1981 and RCW 12.40.040 are each amended to read as follows:

~~((Said))~~ The notice of claim can be served either as provided for the service of summons or complaint and notice in civil actions or by registered or certified mail ~~((provided))~~ if a return receipt with the signature of the party being served is filed with the court ~~((but))~~. No other paper is to be served with the notice. The officer serving ~~((such))~~ the notice shall be entitled to receive from the plaintiff, besides mileage, the fee specified in RCW 36.18.040 for such service; which sum, together with the filing fee named in RCW 12.40.030, shall be added to any judgment given for plaintiff.

Sec. 62. Section 5, chapter 187, Laws of 1919 and RCW 12.40.050 are each amended to read as follows:

~~((The))~~ A claim ~~((hereinbefore referred to))~~ filed in the small claims department shall contain: (1) The name and address of the plaintiff ~~((and the name of the defendant, followed by))~~; (2) a statement, in brief and concise form, of the nature and amount of ~~((said))~~ the claim and ~~((the time of the accruing of such claim))~~ when the claim accrued; and ~~((shall also state))~~ (3) the name and residence of the defendant, if ~~((same be))~~ known to the plaintiff, for the purpose of serving the notice of claim on ~~((such))~~ the defendant.

Sec. 63. Section 6, chapter 187, Laws of 1919 as amended by section 11, chapter 331, Laws of 1981 and RCW 12.40.060 are each amended to read as follows:

The notice of claim directed to the defendant shall contain ~~((a statement in brief and concise form notifying such defendant of the name, address, amount and nature of the alleged claim of plaintiff, and))~~; (1) The name and address of the plaintiff; (2) a brief and concise statement of the nature and amount of the claim; (3) a statement directing and requiring defendant to appear personally in the ~~((justice court))~~ small claims department at a time certain, which shall not be less than five days from the date of service of ~~((such))~~ the notice; ~~((said notice shall further provide))~~; and (4) a statement advising the defendant that in case of his or her failure to ~~((so))~~ appear, judgment will be given against defendant for the amount of ~~((such))~~ the claim.

Sec. 64. Section 7, chapter 187, Laws of 1919 and RCW 12.40.070 are each amended to read as follows:

~~((All))~~ A claim~~((s))~~ must be verified by the real claimant, and no claim shall be filed or prosecuted in ~~((such))~~ the small claims department by the assignee of ~~((such))~~ the claim.

Sec. 65. Section 8, chapter 187, Laws of 1919 as amended by section 12, chapter 331, Laws of 1981 and RCW 12.40.080 are each amended to read as follows:

No attorney at law, legal paraprofessional, nor any person other than the plaintiff and defendant, shall concern himself or herself or in any manner interfere with the prosecution or defense of ~~((such))~~ litigation in ~~((said))~~ the small claims department without the consent of the ~~((justice of said justice's))~~ judge of the district court. If a corporation plaintiff is represented by an attorney at law, or legal paraprofessional, the ~~((justice))~~ judge shall at the request of the defendant transfer the case to the regular civil docket. In the small claims department it shall not be necessary to summon witnesses, but the plaintiff and defendant in any claim shall have the privilege of offering evidence in their behalf by witnesses appearing at such hearing, and the ~~((justice))~~ judge may informally consult witnesses or otherwise investigate the controversy between the parties, and give judgment or make such orders as the judge may ~~((by him be deemed))~~ deem to be right, just and equitable for the disposition of the controversy.

Sec. 66. Section 9, chapter 187, Laws of 1919 and RCW 12.40.090 are each amended to read as follows:

~~((No))~~ A formal pleading, other than the ~~((said))~~ claim and notice, shall not be necessary to define the issue between the parties~~((and))~~. The hearing and disposition of ~~((all such))~~ the actions shall be informal, with the sole object of dispensing speedy and quick justice between the litigants~~((PROVIDED, That no))~~. An attachment, garnishment or execution shall not issue from the small claims department on any claim except as ~~((hereinafter))~~ provided in this chapter.

Sec. 67. Section 10, chapter 187, Laws of 1919 as amended by section 1, chapter 254, Laws of 1983 and RCW 12.40.100 are each amended to read as follows:

If a monetary judgment or order is entered, it shall be the judgment debtor's duty to pay the judgment ~~((forthwith))~~ upon such terms and conditions as the ~~((justice of such court))~~ judge shall prescribe. If the judgment is not paid to the prevailing party at the time the judgment is entered and the judgment debtor is present in court, the court may order a payment plan.

Sec. 68. Section 11, chapter 187, Laws of 1919 as last amended by section 3, chapter 254, Laws of 1983 and RCW 12.40.110 are each amended to read as follows:

(1) If the losing party fails to pay the judgment according to the terms and conditions thereof within twenty days or is in arrears on any payment plan, and the prevailing party so notifies the court, the ~~((justice))~~ judge before whom such hearing was had shall certify ~~((such))~~ the judgment in substantially the following form:

Washington.

In the ~~((Justice's))~~ District Court of County (~~before~~ Justice
~~of the Peace for~~ Precinct)).
 Plaintiff,

vs.

..... Defendant.

In the Small Claims Department.

This is to certify that: (1) In a certain action before me, the undersigned, had on this the day of 19..... wherein was plaintiff and defendant, jurisdiction of said defendant having been had by personal service (or otherwise) as provided by law, I then and there entered judgment against in the sum of Dollars; (2) the judgment has not been paid within twenty days or the period otherwise ordered by the court; and (3) pursuant to RCW 12.40.... the amount of the judgment is hereby increased by any costs of certification under this section and the amount specified in RCW 36.18.020(3).

Witness my hand this day of 19.....

.....
 (~~Justice of the Peace~~) District Judge sitting in the Small Claims Department.

(2) The ~~((justice of the peace of such justice's court))~~ judge shall forthwith enter the judgment transcript on the judgment docket of the ~~((justice's))~~ district court; and thereafter garnishment, execution, and other process on execution provided by law may issue thereon, as in other judgments of ~~((justice's))~~ district courts.

(3) Transcripts of such judgments may be filed and entered in judgment lien dockets in superior courts with like effect as in other cases.

Sec. 69. Section 4, chapter 83, Laws of 1970 ex. sess. and RCW 12.40.120 are each amended to read as follows:

No appeal shall be permitted from a judgment of the small claims department of the ~~((justice))~~ district court where the amount claimed was less than one hundred dollars nor shall any appeal be permitted by a party who requested the exercise of jurisdiction by the small claims ~~((court))~~ department.

Sec. 70. Section 680, page 171, Laws of 1869 as last amended by section 738, Code of 1881 and RCW 7.20.140 are each amended to read as follows:

Either party to a judgment in a proceeding for a contempt, may appeal therefrom in like manner and with like effect as from judgment in an action, but such appeal shall not have the effect to stay the proceedings in any other action, suit or proceeding, or upon any judgment, decree or order therein, concerning which, or wherein such contempt was committed. ~~((Contempts of justices' courts are punishable in the manner specially provided for in chapter 3.28 RCW.))~~

Sec. 71. Section 35.20.100, chapter 7, Laws of 1965 as last amended by section 1, chapter 32, Laws of 1972 ex. sess. and RCW 35.20.100 are each amended to read as follows:

There shall be three departments of the municipal court, which shall be designated as Department Nos. 1, 2 and 3: PROVIDED, That when the administration of justice and the accomplishment of the work of the court make additional departments necessary, the legislative body of the city may create additional departments as they are needed. The departments shall be established in such places as may be provided by the legislative body of the city, and each department shall be presided over by a municipal judge. The judges shall select, by majority vote, one of their number to act as presiding judge of the municipal court for a term of one year, and he shall be responsible for administration of the court and assignment of calendars to all departments. A change of venue from one department of the municipal court to another department shall be allowed in accordance with the provisions of RCW 3.66.090(~~-3.20.100 and 3.20.110~~) in all civil and criminal proceedings. The city shall assume the costs of the elections of the municipal judges in accordance with the provisions of RCW 29.13.045.

Sec. 72. Section 35, chapter 299, Laws of 1961 and RCW 3.46.010 are each amended to read as follows:

Any city may secure the establishment of a municipal department of the ~~((justice))~~ district court, to be designated 'The Municipal Department of (city)'. Such department may also be designated 'The Municipal Court of (city).'

Sec. 73. Section 36, chapter 299, Laws of 1961 and RCW 3.46.020 are each amended to read as follows:

Each judge of a municipal department shall be a ~~((justice of the peace))~~ judge of the district court in which the municipal department is situated. Such judge may be alternately designated as a municipal judge or police judge.

Sec. 74. Section 38, chapter 299, Laws of 1961 and RCW 3.46.040 are each amended to read as follows:

Establishment of a municipal department shall be initiated by a petition from the legislative body of the city to the ~~((board of county commissioners))~~ county legislative authority. Such petition shall be filed ~~((with the commissioners))~~ not less than thirty days prior to February 1, 1962, or any subsequent year, and shall set forth: (1) The number of full time and part time judges required for the municipal department; (2) The amount of time for which a part time judge will be required for the municipal department; and (3) Whether the full time judge or judges will be elected or appointed. In a petition filed subsequent to 1962 provision shall be made for temporary appointment of a municipal judge to fill each elective position until the next election for ~~((justices of the peace))~~ district judges. The petition shall be forthwith transmitted to the districting committee. The organization of the municipal department shall be incorporated into the districting plan. The districting committee in its plan shall designate the proportion of the salary of each ~~((justice))~~ judge serving as a part time municipal judge to be paid by the city, which shall be proportionate to the time of such judge allotted to the municipal department by the districting plan. A city may withdraw its petition any time prior to adoption of the districting plan by the ~~((board of county commissioners))~~ county legislative authority, and thereupon the municipal department pursuant to this chapter shall not be established.

Sec. 75. Section 40, chapter 299, Laws of 1961 and RCW 3.46.060 are each amended to read as follows:

In ~~((justice))~~ district court districts having more than one ~~((justice of the peace))~~ judge, appointment of part time municipal judges shall be made from the ~~((justices of the peace))~~ judges of the district by the mayor in such manner as the city legislative body shall determine.

Sec. 76. Section 41, chapter 299, Laws of 1961 and RCW 3.46.070 are each amended to read as follows:

In each ~~((justice))~~ district court district where an election is held for the position of municipal judge, the county auditor, prior to the date for filing declarations for the office of ~~((justice of the peace))~~ district judge, shall designate the proper number of municipal judge positions, commencing with number one, and if there is more than one municipal judge in any municipal department, one or more positions may, at the request of the legislative body of the city, be further designated as municipal traffic judge positions. Only voters of the city shall vote for municipal judges.

Sec. 77. Section 42, chapter 299, Laws of 1961 and RCW 3.46.080 are each amended to read as follows:

A municipal judge shall serve in such capacity for his or her term as ~~((justice of the peace;))~~ district judge and may be removed from so serving in the same manner and for the same reasons as he or she may be removed from the office of ~~((justice of the peace))~~ district judge.

Sec. 78. Section 43, chapter 299, Laws of 1961 as amended by section 5, chapter 66, Laws of 1969 ex. sess. and RCW 3.46.090 are each amended to read as follows:

The salary of a full time municipal judge shall be paid wholly by the city. The salary of a ~~((justice of the peace))~~ district judge serving a municipal department part time shall be paid jointly by the county and the city in the same proportion as the time of the ~~((justice))~~ judge has been allocated to each. Salaries of court commissioners serving the municipal department shall be paid by the city.

Sec. 79. Section 44, chapter 299, Laws of 1961 and RCW 3.46.100 are each amended to read as follows:

A vacancy in a position of full time municipal judge shall be filled for the unexpired term by appointment in such manner as the city may determine. In districts having more than one ~~((justice of the peace))~~ judge, a vacancy in a position

of part time municipal judge shall be filled for the unexpired term by appointment in such manner as the city shall determine from the (~~justices~~) judges of the district, including any (~~justice~~) judge appointed by the county commissioners to fill an unexpired term.

NEW SECTION. Sec. 80. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 11, Laws of 1955 and RCW 3.04.010;
- (2) Section 4, page 120, Laws of 1888, section 2, chapter 11, Laws of 1955 and RCW 3.04.030;
- (3) Section 3, page 223, Laws of 1854, section 1691, Code of 1881, section 3, chapter 11, Laws of 1955 and RCW 3.04.040;
- (4) Section 4, page 223, Laws of 1854, section 1692, Code of 1881, section 4, chapter 11, Laws of 1955 and RCW 3.04.050;
- (5) Section 5, page 223, Laws of 1854, section 1693, Code of 1881, section 5, chapter 11, Laws of 1955 and RCW 3.04.060;
- (6) Section 6, page 223, Laws of 1854, section 1694, Code of 1881, section 6, chapter 11, Laws of 1955 and RCW 3.04.070;
- (7) Section 7, page 224, Laws of 1854, section 1695, Code of 1881, section 7, chapter 11, Laws of 1955 and RCW 3.04.080;
- (8) Section 20, page 226, Laws of 1854, section 14, page 333, Laws of 1873, section 1707, Code of 1881, section 14, chapter 156, Laws of 1951 and RCW 3.04.090;
- (9) Section 10, page 224, Laws of 1854, section 1703, Code of 1881, and RCW 3.04.100;
- (10) Section 25, page 227, Laws of 1854, section 31, page 339, Laws of 1873, section 1724, Code of 1881, section 8, chapter 11, Laws of 1955 and RCW 3.04.110;
- (11) Section 12, chapter 187, Laws of 1919 and RCW 3.04.120;
- (12) Section 11, page 224, Laws of 1854, section 1704, Code of 1881, section 15, chapter 156, Laws of 1951 and RCW 3.04.130;
- (13) Section 12, page 224, Laws of 1854, section 1705, Code of 1881 and RCW 3.04.140; and
- (14) Section 21, page 226, Laws of 1854, section 15, page 333, Laws of 1873, section 1708, Code of 1881 and RCW 3.04.150.

NEW SECTION. Sec. 81. The following acts or parts of acts are each repealed:

- (1) Section 13, page 225, Laws of 1854, section 2796, Code of 1881, section 1, chapter 237, Laws of 1953 and RCW 3.08.010;
- (2) Section 15, page 225, Laws of 1854, section 2798, Code of 1881 and RCW 3.08.020;
- (3) Section 16, page 225, Laws of 1854, section 2799, Code of 1881 and RCW 3.08.030;
- (4) Section 2800, Code of 1881, section 9, chapter 11, Laws of 1955 and RCW 3.08.040;
- (5) Section 14, page 225, Laws of 1854, section 2797, Code of 1881 and RCW 3.08.050;
- (6) Section 10, chapter 11, Laws of 1955 and RCW 3.08.060;
- (7) Section 3, chapter 237, Laws of 1953 and RCW 3.08.065;
- (8) Section 1, chapter 138, Laws of 1935, section 1, chapter 64, Laws of 1941 and RCW 3.08.070; and
- (9) Section 2, chapter 237, Laws of 1953 and RCW 3.08.080.

NEW SECTION. Sec. 82. The following acts or parts of acts are each repealed:

- (1) Section 3, page 120, Laws of 1888, section 11, chapter 11, Laws of 1955 and RCW 3.12.010;
- (2) Section 1, chapter 156, Laws of 1951, section 12, chapter 11, Laws of 1955, section 1, chapter 203, Laws of 1957 and RCW 3.12.021;
- (3) Section 6, chapter 156, Laws of 1951 and RCW 3.12.041;
- (4) Section 7, chapter 156, Laws of 1951 and RCW 3.12.051;
- (5) Section 2, chapter 156, Laws of 1951, section 2, chapter 203, Laws of 1957 and RCW 3.12.071;
- (6) Section 1, chapter 63, Laws of 1931 and RCW 3.12.080;
- (7) Section 8, chapter 7, Laws of 1891, section 1 chapter 102, Laws of 1917, section 1, chapter 21, Laws of 1943 and RCW 3.12.090;
- (8) Section 10, chapter 156, Laws of 1951 and RCW 3.14.020;
- (9) Section 9, chapter 156, Laws of 1951 and RCW 3.14.050; and

(10) Section 13, chapter 156, Laws of 1951 and RCW 3.14.060.

NEW SECTION. Sec. 83. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 156, Laws of 1951, section 5, chapter 206, Laws of 1953 and RCW 3.16.002;

(2) Section 4, chapter 156, Laws of 1951, section 6, chapter 110, Laws of 1965 ex. sess., section 2, chapter 52, Laws of 1969 and RCW 3.16.004;

(3) Section 13, chapter 11, Laws of 1955 and RCW 3.16.008;

(4) Section 2, chapter 66, Laws of 1897, section 14, chapter 11, Laws of 1955 and RCW 3.16.010;

(5) Section 3, chapter 105, Laws of 1905, section 15, chapter 11, Laws of 1955 and RCW 3.16.020;

(6) Section 3, chapter 145, Laws of 1909, sections 3, 4, chapter 41, Laws of 1913, section 16, chapter 11, Laws of 1955 and RCW 3.16.030;

(7) Section 17, chapter 11, Laws of 1955 and RCW 3.16.050;

(8) Section 9, chapter 7, Laws of 1891, section 18, chapter 11, Laws of 1955 and RCW 3.16.060;

(9) Section 1, chapter 66, Laws of 1893, section 1, chapter 121, Laws of 1907, section 1, chapter 138, Laws of 1915, section 1, chapter 143, Laws of 1919 and RCW 3.16.070;

(10) Section 2, chapter 66, Laws of 1893 and RCW 3.16.080;

(11) Section 3, chapter 66, Laws of 1893 and RCW 3.16.090;

(12) Section 1, part, chapter 56, Laws of 1907, section 13, chapter 263, Laws of 1959 and RCW 3.16.100;

(13) Section 3, chapter 7, Laws of 1891, section 5, chapter 199, Laws of 1969 ex. sess. and RCW 3.16.110;

(14) Section 4, chapter 7, Laws of 1891 and RCW 3.16.120;

(15) Section 5, chapter 7, Laws of 1891, section 6, chapter 199, Laws of 1969 ex. sess. and RCW 3.16.130;

(16) Section 10, chapter 7, Laws of 1891 and RCW 3.16.140;

(17) Section 6, chapter 7, Laws of 1891 and RCW 3.16.150; and

(18) Section 181, page 379, Laws of 1863, section 1901, Code of 1881, section 7, chapter 199, Laws of 1969 ex. sess. and RCW 3.16.160.

NEW SECTION. Sec. 84. The following acts or parts of acts are each repealed:

(1) Section 22, page 226, Laws of 1854, section 1709, Code of 1881, section 1, chapter 89, Laws of 1941 and RCW 3.20.010;

(2) Section 23, page 226, Laws of 1854, section 17, page 333, Laws of 1873, section 1, page 199, Laws of 1877, section 1710, Code of 1881, section 1, page 44, Laws of 1883, section 1, chapter 73, Laws of 1891, section 19, chapter 11, Laws of 1955, section 1, chapter 96, Laws of 1965, section 2, chapter 102, Laws of 1979, section 6, chapter 331, Laws of 1981 and RCW 3.20.020;

(3) Section 24, page 227, Laws of 1854, section 18, page 334, Laws of 1873, section 1711, Code of 1881 and RCW 3.20.030;

(4) Section 171, page 279, Laws of 1860, section 184, page 181, Laws of 1873, section 1, page 51, Laws of 1875, section 1886, Code of 1881, section 1, chapter 35, Laws of 1901, section 1, chapter 98, Laws of 1909, section 175, chapter 46, Laws of 1983 1st ex. sess. and RCW 3.20.040;

(5) Section 9, page 224, Laws of 1854, section 1702, Code of 1881, section 2, chapter 89, Laws of 1941 and RCW 3.20.050;

(6) Section 1, chapter 40, Laws of 1899, section 1, chapter 65, Laws of 1901, section 1, chapter 53, Laws of 1925 ex. sess., section 1, chapter 75, Laws of 1929, section 3, chapter 89, Laws of 1941, section 2, chapter 206, Laws of 1953 and RCW 3.20.060;

(7) Section 1, chapter 264, Laws of 1927, section 2, chapter 75, Laws of 1929 and RCW 3.20.070;

(8) Section 3, chapter 75, Laws of 1929 and RCW 3.20.080;

(9) Section 2, chapter 65, Laws of 1901, section 4, chapter 75, Laws of 1929, section 4, chapter 89, Laws of 1941 and RCW 3.20.090;

(10) Section 68, page 252, Laws of 1860, section 162, page 369, Laws of 1863, section 1881, Code of 1881 and RCW 3.20.110;

(11) Section 1, chapter 4, Laws of 1933 ex. sess., section 1, chapter 135, Laws of 1935 and RCW 3.20.120; and

(12) Section 4, chapter 206, Laws of 1953 and RCW 3.20.131.

NEW SECTION. Sec. 85. The following acts or parts or acts are each repealed:

- (1) Section 1, chapter 14, Laws of 1923 and RCW 3.24.010;
- (2) Section 2, chapter 14, Laws of 1923, section 1, chapter 201, Laws of 1927 and RCW 3.24.020;
- (3) Section 4, chapter 14, Laws of 1923 and RCW 3.24.030;
- (4) Section 5, chapter 14, Laws of 1923 and RCW 3.24.040;
- (5) Section 6, chapter 14, Laws of 1923 and RCW 3.24.050;
- (6) Section 3, chapter 14, Laws of 1923 and RCW 3.24.060;
- (7) Section 7, chapter 14, Laws of 1923 and RCW 3.24.070;
- (8) Section 8, chapter 14, Laws of 1923 and RCW 3.24.080; and
- (9) Section 9, chapter 14, Laws of 1923 and RCW 3.24.090.

NEW SECTION. Sec. 86. The following acts or parts of acts are each repealed:

- (1) Section 145, page 248, Laws of 1854, section 665, chapter 171, Laws of 1873, section 1842, Code of 1881 and RCW 3.28.010;
- (2) Section 147, page 249, Laws of 1854, section 668, page 173, Laws of 1873, section 1844, Code of 1881 and RCW 3.28.020;
- (3) Section 148, page 249, Laws of 1854, section 667, page 172, Laws of 1873, section 1845, Code of 1881 and RCW 3.28.030;
- (4) Section 149, page 249, Laws of 1854, section 1846, Code of 1881 and RCW 3.28.040;
- (5) Section 150, page 249, Laws of 1854, section 1847, Code of 1881 and RCW 3.28.050;
- (6) Section 146, page 249, Laws of 1854, section 166, page 172, Laws of 1873, section 1843, Code of 1881 and RCW 3.28.060;
- (7) Section 151, page 250, Laws of 1854, section 1848, Code of 1881, section 8, chapter 199, Laws of 1969 ex. sess. and RCW 3.28.070;
- (8) Section 128, chapter 299, Laws of 1961 and RCW 3.74.910; and
- (9) Section 129, chapter 299, Laws of 1961 and RCW 3.74.920.

NEW SECTION. Sec. 87. Section 211, chapter 249, Laws of 1909, section 1, chapter 100, Laws of 1917 and RCW 9.04.020 are each repealed.

Sec. 88. Section 1, chapter 84, Laws of 1973 as amended by section 1, chapter 94, Laws of 1980 and RCW 4.84.250 are each amended to read as follows:

Notwithstanding any other provisions of chapter 4.84 RCW and RCW 12.20.060, in any action for damages where the amount pleaded by the prevailing party as hereinafter defined, exclusive of costs, is ~~((three thousand))~~ seven thousand five hundred dollars or less, there shall be taxed and allowed to the prevailing party as a part of the costs of the action a reasonable amount to be fixed by the court as attorneys' fees. After July 1, ~~((1981))~~ 1985, the maximum amount of the pleading under this section shall be ~~((five))~~ ten thousand dollars.

Sec. 89. Section 85, page 237, Laws of 1854 as last amended by section 1, chapter 30, Laws of 1975-'76 2nd ex. sess. and RCW 12.20.060 are each amended to read as follows:

When the prevailing party in district court is entitled to recover costs as authorized in RCW 4.84.010 in a civil action ~~((before a justice of the peace))~~, the ~~((justice))~~ judge shall add the amount thereof to the judgment; in case of failure of the plaintiff to recover or of dismissal of the action, the ~~((justice))~~ judge shall enter up a judgment in favor of the defendant for the amount of his costs; and in case any party so entitled to costs is represented in the action by an attorney, the ~~((justice))~~ judge shall include ~~((an))~~ attorney's fees of twenty-five dollars as part of the costs; PROVIDED, HOWEVER, That the plaintiff shall not be entitled to such attorney fee unless he obtains, exclusive of costs, a judgment in the sum of five dollars or more.

NEW SECTION. Sec. 90. There is added to chapter 3.30 RCW a new section to read as follows:

All references to justices of the peace in other titles of the Revised Code of Washington shall be construed as meaning district judges. All references to justice courts or justice of the peace courts in other titles of the Revised Code of Washington shall be construed as meaning district courts.

Sec. 91. Section 4, chapter 221, Laws of 1969 ex. sess. as amended by section 1, chapter 41, Laws of 1971 and RCW 2.06.040 are each amended to read as follows:

The court shall sit in panels of three judges and decisions shall be rendered by not less than a majority of the panel. In the determination of causes all decisions of

the court shall be given in writing and the grounds of the decisions shall be stated. All decisions of the court having precedential value shall be published as opinions of the court. Each panel shall determine whether a decision of the court has sufficient precedential value to be published as an opinion of the court. Decisions determined not to have precedential value shall not be published. Panels in the first division shall be comprised of such judges as the chief judge thereof shall from time to time direct. Judges of the respective divisions may sit in other divisions and causes may be transferred between divisions, as directed by written order of the chief justice. The court may hold sessions in such of the following cities as may be designated by rule: Seattle, Everett, Bellingham, Tacoma, Vancouver, Spokane, Yakima, Richland, Wenatchee, and Walla Walla.

No judge of the court shall be entitled to per diem or mileage for services performed at either his legal residence or the headquarters of the division of the court of which he is a member.

The court may establish rules supplementary to and not in conflict with rules of the supreme court.

Sec. 92. Section 367, page 201, Laws of 1854 as last amended by section 7, chapter 45, Laws of 1983 1st ex. sess. and RCW 4.84.010 are each amended to read as follows:

The measure and mode of compensation of attorneys and counselors, shall be left to the agreement, expressed or implied, of the parties, but there shall be allowed to the prevailing party upon the judgment certain sums by way of indemnity for the prevailing party's expenses in the action, which allowances are termed costs, including, in addition to costs otherwise authorized by law, the following expenses:

- (1) Filing fees;
- (2) Fees for the service of process;
- (3) Fees for service by publication;

(4) Notary fees, but only to the extent the fees are for services that are expressly required by law and only to the extent they represent actual costs incurred by the prevailing party;

(5) Reasonable expenses, exclusive of attorneys' fees, incurred in obtaining reports and records, which are admitted into evidence at trial or in mandatory arbitration in superior or district court, including but not limited to medical records, tax records, personnel records, insurance reports, employment and wage records, police reports, school records, bank records, and legal files;

~~((6))~~ (5) Statutory attorney and witness fees; and

~~((7))~~ (6) To the extent that the court or arbitrator finds that it was necessary to achieve the successful result, the reasonable expense of the transcription of depositions used at trial or at the mandatory arbitration hearing; PROVIDED, That the expenses of depositions shall be allowed on a pro rata basis for those portions of the depositions introduced into evidence or used for purposes of impeachment.

NEW SECTION. Sec. 93. Section 7, chapter 84, Laws of 1973 and RCW 4.84.310 are each repealed.

Sec. 94. Section 4, chapter 254, Laws of 1983 and RCW 12.24.135 are each amended to read as follows:

In any proceeding brought under this chapter to enforce a judgment which has been certified under RCW 12.40.110, the execution issued by the justice shall include the amount of the judgment owed plus reasonable costs and reasonable attorneys' fees incurred by the judgment creditor in seeking enforcement of the judgment under this chapter.

Sec. 95. Section 4, page 404, Laws of 1854 as last amended by section 1, chapter 186, Laws of 1983 and RCW 26.04.050 are each amended to read as follows:

The following named officers and persons are hereby authorized to solemnize marriages, to wit: Justices of the supreme court, judges of the court of appeals, judges of the superior courts, any regularly licensed or ordained minister or any priest of any church or religious denomination (~~anywhere within the state~~), and judges of (~~any~~) courts of limited jurisdiction(~~(:)~~) as defined in RCW 3.02.010(~~: within their respective counties~~).

NEW SECTION. Sec. 101. There is added to chapter 3.50 RCW a new section to read as follows:

The legislature finds that there is a multitude of statutes governing the municipal courts of the state. This situation is confusing and misleading to attorneys, judges, court personnel, and others who work with the municipal courts. The legislature therefore finds that a reorganization of the municipal courts of the state would allow those courts to operate in a more effective and efficient manner. This chapter provides a court structure which may be used by cities and towns with a population of four hundred thousand or less which choose to operate under this chapter.

NEW SECTION. Sec. 102. There is added to chapter 3.50 RCW a new section to read as follows:

After January 1, 1985, cities and towns with a population of four hundred thousand or less which are operating a municipal court under Title 35 or 35A RCW shall operate the court pursuant to this chapter. In the alternative, a city or town may establish a municipal department of a district court under chapter 3.46 RCW.

Municipal judges holding office on the effective date of this section shall continue to hold office until expiration of their term or January 1, 1986, whichever occurs first.

Sec. 103. Section 50, chapter 299, Laws of 1961 and RCW 3.50.010 are each amended to read as follows:

Any city or town with a population of ~~((twenty))~~ four hundred thousand or less may by ordinance provide for an inferior court to be known and designated as a municipal court, which shall be entitled 'The Municipal Court of (insert name of city or town)', hereinafter designated and referred to as 'municipal court', which court shall have jurisdiction and shall exercise all powers by this chapter declared to be vested in the municipal court, together with such other powers and jurisdiction as are generally conferred upon such court in this state ~~((by))~~ either by common law or by express statute ~~((upon said court))~~.

Sec. 104. Section 51, chapter 299, Laws of 1961 as amended by section 17, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.020 are each amended to read as follows:

The municipal court shall have exclusive original jurisdiction over traffic infractions arising under city ordinances and exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city in which the municipal court is located and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; and in general to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinances and to pronounce judgment in accordance therewith.

Sec. 105. Section 52, chapter 299, Laws of 1961 as amended by section 18, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.030 are each amended to read as follows:

Every city or town may establish and operate under the supervision of the municipal court a violations bureau to assist the court in processing traffic cases. Each municipal court shall designate the specific traffic offenses and traffic infractions under ~~((the))~~ city or town ordinances which may be processed by the violations bureau.

A violations bureau may be authorized to process traffic infractions in conformity with chapter 46.63 RCW.

A violations bureau may be authorized to receive the posting of bail for specified offenses and, to the extent authorized by court order, permitted to accept forfeiture of bail and payment of penalties. Any violations bureau, upon accepting the prescribed bail, shall issue a receipt therefor to the alleged violator, acknowledging the posting thereof and informing the accused of the legal consequences of bail forfeiture. Any person charged with any criminal traffic offense within the authority of the violations bureau may, upon signing a written appearance, a written plea of guilty and a written waiver of trial, pay to the violations bureau the fine established for the offense charged and costs and this shall have the same effect as a court conviction. All penalties and forfeitures paid to a violations bureau for the violation of municipal ordinance shall be placed in the city or town general fund

or such other fund as may be prescribed by ordinance of the city or town or laws of the state of Washington.

Any employees of an existing violations bureau of any city shall continue as ~~((α))~~ city employees.

Sec. 106. Section 53, chapter 299, Laws of 1961 as amended by section 1, chapter 35, Laws of 1975-76 2nd ex. sess. and RCW 3.50.040 are each amended to read as follows:

Within thirty days after the effective date of the ordinance creating the municipal court, the mayor of each city or town shall~~((with the approval of the legislative body thereof))~~ appoint a municipal judge or judges of the municipal court for a term of four years~~((commencing January 15, 1962. Succeeding appointments shall be made in like manner by the fifteenth day of December preceding the end of every four year term))~~. The terms of judges serving on the effective date of this 1984 section and municipal judges who are appointed to terms commencing before January 1, 1986, shall expire January 1, 1986. The terms of their successors shall commence on January 1, 1986, and on January 1 of each fourth year thereafter, pursuant to appointment or election as provided in this chapter. Appointments shall be made on or before December 1 of the year next preceding the year in which the terms commence.

The legislative authority of a city or town that has the general power of confirmation over mayoral appointments shall have the power to confirm the appointment of a municipal judge.

~~((The))~~ A person appointed as a full-time or part-time municipal judge shall be a citizen of the United States of America and of the state of Washington; and an attorney ~~((duly))~~ admitted to practice law before the courts of record of the state of Washington: PROVIDED, That in a municipality having a population less than five thousand persons, a person other than an attorney may be the judge. Any city or town shall have authority to appoint a ~~((duly elected justice of the peace))~~ district judge as its municipal judge when the municipal judge is not required to serve full time. In the event of the appointment of a ~~((justice of the peace))~~ district judge, the city or town shall pay a pro rata share of ~~((his))~~ the salary.

NEW SECTION. Sec. 107. There is added to chapter 3.50 RCW a new section to read as follows:

The legislature finds that there is a multitude of statutes governing the municipal courts of the state. This situation is confusing and misleading to attorneys, judges, court personnel, and others who work with the municipal courts. The legislature therefore finds that a reorganization of the municipal courts of the state would allow those courts to operate in a more effective and efficient manner. This chapter provides a court structure which may be used by cities and towns with a population of four hundred thousand or less which choose to operate under this chapter.

NEW SECTION. Sec. 108. There is added to chapter 3.50 RCW a new section to read as follows:

After January 1, 1985, cities and towns with a population of four hundred thousand or less which are operating a municipal court under Title 35 or 35A RCW shall operate the court pursuant to this chapter. In the alternative, a city or town may establish a municipal department of a district court under chapter 3.46 RCW.

Municipal judges holding office on the effective date of this section shall continue to hold office until expiration of their term or January 1, 1986, whichever occurs first.

Sec. 109. Section 50, chapter 299, Laws of 1961 and RCW 3.50.010 are each amended to read as follows:

Any city or town with a population of ~~((twenty))~~ four hundred thousand or less may by ordinance provide for an inferior court to be known and designated as a municipal court, which shall be entitled 'The Municipal Court of (insert name of city or town)', hereinafter designated and referred to as 'municipal court', which court shall have jurisdiction and shall exercise all powers by this chapter declared to be vested in the municipal court, together with such other powers and jurisdiction as are generally conferred upon such court in this state ~~((by))~~ either by common law or by express statute ~~((upon said court))~~.

Sec. 110. Section 51, chapter 299, Laws of 1961 as amended by section 17, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.020 are each amended to read as follows:

The municipal court shall have exclusive original jurisdiction over traffic infractions arising under city ordinances and exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city in which the municipal court is located and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; and in general to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinances and to pronounce judgment in accordance therewith.

Sec. 111. Section 52, chapter 299, Laws of 1961 as amended by section 18, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.030 are each amended to read as follows:

Every city or town may establish and operate under the supervision of the municipal court a violations bureau to assist the court in processing traffic cases. Each municipal court shall designate the specific traffic offenses and traffic infractions under ((the)) city or town ordinances which may be processed by the violations bureau.

A violations bureau may be authorized to process traffic infractions in conformity with chapter 46.63 RCW.

A violations bureau may be authorized to receive the posting of bail for specified offenses and, to the extent authorized by court order, permitted to accept forfeiture of bail and payment of penalties. Any violations bureau, upon accepting the prescribed bail, shall issue a receipt therefor to the alleged violator, acknowledging the posting thereof and informing the accused of the legal consequences of bail forfeiture. Any person charged with any criminal traffic offense within the authority of the violations bureau may, upon signing a written appearance, a written plea of guilty and a written waiver of trial, pay to the violations bureau the fine established for the offense charged and costs and this shall have the same effect as a court conviction. All penalties and forfeitures paid to a violations bureau for the violation of municipal ordinance shall be placed in the city or town general fund or such other fund as may be prescribed by ordinance of the city or town or laws of the state of Washington.

Any employees of an existing violations bureau of any city shall continue as ((α)) city employees.

Sec. 112. Section 53, chapter 299, Laws of 1961 as amended by section 1, chapter 35, Laws of 1975-'76 2nd ex. sess. and RCW 3.50.040 are each amended to read as follows:

Within thirty days after the effective date of the ordinance creating the municipal court, the mayor of each city or town shall ((, with the approval of the legislative body thereof;)) appoint a municipal judge or judges of the municipal court for a term of four years ((, commencing January 15, 1962. Succeeding appointments shall be made in like manner by the fifteenth day of December preceding the end of every four year term;)). The terms of judges serving on the effective date of this 1984 section and municipal judges who are appointed to terms commencing before January 1, 1986, shall expire January 1, 1986. The terms of their successors shall commence on January 1, 1986, and on January 1 of each fourth year thereafter, pursuant to appointment or election as provided in this chapter. Appointments shall be made on or before December 1 of the year next preceding the year in which the terms commence.

The legislative authority of a city or town that has the general power of confirmation over mayoral appointments shall have the power to confirm the appointment of a municipal judge.

((The)) A person appointed as a full-time or part-time municipal judge shall be a citizen of the United States of America and of the state of Washington; and an attorney ((duly)) admitted to practice law before the courts of record of the state of Washington: PROVIDED, That in a municipality having a population less than five thousand persons, a person other than an attorney may be the judge. Any city or town shall have authority to appoint a ((duly elected justice of the peace)) district

judge as its municipal judge when the municipal judge is not required to serve full time. In the event of the appointment of a ~~((justice of the peace))~~ district judge, the city or town shall pay a pro rata share of ~~((his))~~ the salary.

Sec. 113. Section 54, chapter 299, Laws of 1961 and RCW 3.50.050 are each amended to read as follows:

The legislative authority of ~~((each))~~ the city or town may, by ordinance, provide that the position of municipal judge within the city or town shall be an elective position. The ordinance shall provide for the qualifications of the municipal judge which shall be the same as the qualifications necessary for the appointment thereof; and further, shall provide that the municipal judge shall be elected in the same manner as other elective city officials are elected to office, and that the term of the municipal judge shall be ~~((concurrent with other city officials of the city or town))~~ for a term of four years commencing on January 1, 1986, and every four years thereafter.

Sec. 114. Section 55, chapter 299, Laws of 1961 and RCW 3.50.060 are each amended to read as follows:

A city or town electing to establish a municipal court pursuant to this chapter may terminate such court by ~~((ordinance adopted on or before January 2, 1966 or not more than ten days before January 2nd of any fourth year thereafter))~~ adoption of an appropriate ordinance. However no municipal court may be terminated unless the municipality has complied with sections 203 through 209 of this act.

~~((On and after January 2, 1966;))~~ A city or town ~~((electing to establish))~~ newly establishing a municipal court pursuant to this chapter shall do so by ~~((resolution adopted not more than ten days before January 2, 1966 or any fourth))~~ adoption of an appropriate ordinance on or before December 1 of any year, to take effect January 1 of the following year ~~((thereafter))~~.

Sec. 115. Section 56, chapter 299, Laws of 1961 and RCW 3.50.070 are each amended to read as follows:

Additional full or part time judges may be appointed ~~((by the mayor, subject to the approval))~~ or elected, as provided by ordinance of the legislative body of the city or town ~~((in the same manner as set forth in RCW 3.50.040;))~~ when public interest and the administration of justice makes ~~((necessary the appointment of an))~~ such additional judge or judges necessary.

NEW SECTION. Sec. 116. There is added to chapter 3.50 RCW a new section to read as follows:

Every judge of a municipal court, before entering upon the duties of the office, shall take and subscribe the following oath or affirmation: 'I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Washington, and that I will faithfully discharge the duties of the office of judge of the municipal court of the city of (naming such city) according to the best of my ability.' The oath shall be filed in the office of the county auditor. The judge shall also give such bonds to the state and city for the faithful performance of the judge's duties as may be by law or ordinance directed.

Sec. 117. Section 57, chapter 299, Laws of 1961 and RCW 3.50.080 are each amended to read as follows:

~~((The salary of the))~~ Salaries of municipal court ~~((judge or))~~ judges ~~((together with))~~ shall be fixed by ordinance. All costs of operating the municipal court, including but not limited to salaries of judges and court employees, dockets, books of records, forms, furnishings, and supplies, shall be paid wholly out of the funds of the city or town ~~((and the compensation of the municipal court judge and)).~~ The city shall provide a suitable place for holding court and pay all expenses of maintaining it.

All employees of the municipal court shall, for all purposes, be deemed employees of the city or town. They shall be appointed by and serve at the pleasure of the court.

Sec. 118. Section 58, chapter 299, Laws of 1961 and RCW 3.50.090 are each amended to read as follows:

The mayor shall, in writing, appoint judges pro tem who shall act in the absence or disability of the regular judge of a municipal court or subsequent to the filing of an affidavit of prejudice. The judges pro tem shall be qualified to hold the position of judge of the municipal court as provided herein. The municipal court

judges pro tem shall receive such compensation as shall be fixed by the ordinances of the legislative body of the city or town wherein the municipal court is located. The term of the appointment shall be specified in writing but in any event shall not extend beyond the term of the appointing mayor.

NEW SECTION. Sec. 119. There is added to chapter 3.50 RCW a new section to read as follows:

Any vacancy in the municipal court due to a death, disability, or resignation of a municipal court judge shall be filled by the mayor, for the remainder of the unexpired term. The appointment shall be subject to confirmation by the legislative authority of the city or town if the legislative authority has the general power of confirmation over mayoral appointments. The appointed judge shall be qualified to hold the position of judge of the municipal court as provided in this chapter.

Sec. 120. Section 60, chapter 299, Laws of 1961 and RCW 3.50.110 are each amended to read as follows:

The municipal court shall be open and shall hold such regular and special sessions as may be prescribed by the legislative body of the city or town: PROVIDED, That ((such)) the municipal court shall not be open on nonjudicial days.

Sec. 121. Section 79, chapter 299, Laws of 1961 as amended by section 1, chapter 84, Laws of 1969 and RCW 3.50.300 are each amended to read as follows:

In all cases of conviction, unless otherwise provided in chapters 3.30 through 3.74 RCW as now or hereafter amended, where a jail sentence is given to the defendant, execution shall issue accordingly and where the judgment of the court is that the defendant pay a fine and costs, ((he)) the defendant may be committed to jail ((to be placed at hard labor)) until the judgment is paid in full.

A defendant who has been committed shall be discharged upon the payment for such part of the fine and costs as remains unpaid after deducting from the whole amount any previous payment, and after deducting the amount allowed for each day of imprisonment, which amount shall be the same and computed in the same manner as provided for superior court cases in RCW 10.82.030 and 10.82.040, as now or hereafter amended. In addition, all other proceedings in respect of such fine and costs shall be the same as in like cases in the superior court.

Sec. 122. Section 81, chapter 299, Laws of 1961 as amended by section 5, chapter 156, Laws of 1983 and RCW 3.50.320 are each amended to read as follows:

After a conviction, the court may defer sentencing ((the defendant)) and place ((him)) the defendant on probation and prescribe the conditions thereof, but in no case shall it extend for more than two years from the date of conviction. During the time of the deferral, the court may, for good cause shown, permit a defendant to withdraw ((his)) the plea of guilty, permit ((him)) the defendant to enter a plea of not guilty, and dismiss the charges ((against him)).

Sec. 123. Section 82, chapter 299, Laws of 1961 as amended by section 6, chapter 156, Laws of 1983 and RCW 3.50.330 are each amended to read as follows:

For a period not to exceed two years after imposition of sentence, the court shall have continuing jurisdiction and authority to suspend the execution of all or any part of ((its)) the sentence upon stated terms, including installment payment of fines.

Sec. 124. Section 83, chapter 299, Laws of 1961 as amended by section 7, chapter 156, Laws of 1983 and RCW 3.50.340 are each amended to read as follows:

Deferral of sentence and suspension of execution of sentence may be revoked if the defendant violates or fails to carry out any of the conditions of the deferral or suspension. Upon the revocation of the deferral or suspension, the court shall impose the sentence previously suspended or any unexecuted portion thereof. In no case shall the court impose a sentence greater than the original sentence, with credit given for time served and money paid on fine and costs.

Any time before entering an order terminating probation, the court may revoke or modify its order suspending the imposition or execution of the sentence. ((Whenever)) If the ends of justice will be served and when warranted by the reformation of the probationer, the court may terminate the period of probation and discharge the person so held.

Sec. 125. Section 92, chapter 299, Laws of 1961 and RCW 3.50.430 are each amended to read as follows:

All criminal prosecutions for the violation of ~~((any))~~ a city ordinance shall be conducted in the name of the city and may be upon the complaint of any person.

Sec. 126. Section 93, chapter 299, Laws of 1961 and RCW 3.50.440 are each amended to read as follows:

Every person convicted by the municipal court of a violation of the criminal provisions of an ordinance for which no punishment is specifically prescribed in the ordinance shall be punished by a fine of not more than five ~~((hundred))~~ thousand dollars or imprisonment in the city jail for a period not to exceed ~~((ninety days))~~ one year, or both such fine and imprisonment.

Sec. 127. Section 94, chapter 299, Laws of 1961 and RCW 3.50.450 are each amended to read as follows:

Pleadings, practice and procedure in cases not governed by statutes or rules specifically applicable to municipal courts shall, insofar as applicable, be governed by the statutes and rules now existing or hereafter adopted governing pleadings, practice and procedure applicable to ~~((justice))~~ district courts.

NEW SECTION. Sec. 128. There is added to chapter 3.50 RCW a new section to read as follows:

A transfer of a case from the municipal court to either another municipal judge of the same city or to a judge pro tempore appointed in the manner prescribed by this chapter shall be allowed in accordance with RCW 3.66.090 in all civil and criminal proceedings.

NEW SECTION. Sec. 129. There is added to chapter 3.50 RCW a new section to read as follows:

The municipal court shall have a seal which shall be the vignette of George Washington, with the words 'Seal of The Municipal Court of (name of city), State of Washington,' surrounding the vignette.

NEW SECTION. Sec. 130. There is added to chapter 3.50 RCW a new section to read as follows:

A municipal judge shall be removed only upon conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering the judge incapable of performing the duties of the office.

NEW SECTION. Sec. 131. There is added to chapter 3.50 RCW a new section to read as follows:

'Mayor,' as used in this chapter, means the chief administrative officer of the city.

NEW SECTION. Sec. 132. There is added to chapter 3.50 RCW a new section to read as follows:

In all civil cases, the plaintiff or defendant may demand a jury, which shall consist of six citizens of the state who shall be impaneled and sworn as in cases before district courts, or the trial may be by a judge of the municipal court: PROVIDED, That no jury trial may be held on a proceeding involving a traffic infraction. A party requesting a jury shall pay to the court a fee which shall be the same as that for a jury in district court. If more than one party requests a jury, only one jury fee shall be collected by the court. The fee shall be apportioned among the requesting parties. Each juror may receive up to twenty-five dollars but in no case less than ten dollars for each day in attendance upon the municipal court, and in addition thereto shall receive mileage at the rate determined under RCW 43.03-.060: PROVIDED, That the compensation paid jurors shall be determined by the legislative authority of the city and shall be uniformly applied. Jury trials shall be allowed in all criminal cases unless waived by the defendant.

NEW SECTION. Sec. 133. There is added to chapter 3.50 RCW a new section to read as follows:

All criminal process issued by the municipal court shall be in the name of the state of Washington and run throughout the state, and be directed to and served by the chief of police, marshal, or other police officer of any city or to any sheriff in the state.

NEW SECTION. Sec. 134. The enactment of sections 101 through 139 of this act shall not affect any case, proceeding, appeal, or other matter pending in any court operating under Title 35 or 35A RCW on the effective date of this act. The enactment of sections 101 through 139 of this act shall not have the effect of terminating

or in any way modifying any right or liability, civil or criminal, which may be in existence on the effective date of this act.

NEW SECTION. Sec. 135. RCW 35A.20.150 is recodified as a section in chapter 35A.21 RCW.

NEW SECTION. Sec. 136. The following acts or parts of acts are each repealed:

- (1) Section 61, chapter 299, Laws of 1961 and RCW 3.50.120;
- (2) Section 62, chapter 299, Laws of 1961 and RCW 3.50.130;
- (3) Section 63, chapter 299, Laws of 1961 and RCW 3.50.140;
- (4) Section 64, chapter 299, Laws of 1961 and RCW 3.50.150;
- (5) Section 65, chapter 299, Laws of 1961 and RCW 3.50.160;
- (6) Section 66, chapter 299, Laws of 1961 and RCW 3.50.170;
- (7) Section 67, chapter 299, Laws of 1961 and RCW 3.50.180;
- (8) Section 68, chapter 299, Laws of 1961 and RCW 3.50.190;
- (9) Section 69, chapter 299, Laws of 1961 and RCW 3.50.200;
- (10) Section 70, chapter 299, Laws of 1961 and RCW 3.50.210;
- (11) Section 71, chapter 299, Laws of 1961 and RCW 3.50.220;
- (12) Section 72, chapter 299, Laws of 1961 and RCW 3.50.230;
- (13) Section 73, chapter 299, Laws of 1961 and RCW 3.50.240;
- (14) Section 74, chapter 299, Laws of 1961 and RCW 3.50.250;
- (15) Section 75, chapter 299, Laws of 1961 and RCW 3.50.260;
- (16) Section 76, chapter 299, Laws of 1961 and RCW 3.50.270;
- (17) Section 77, chapter 299, Laws of 1961, section 19, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.280;
- (18) Section 78, chapter 299, Laws of 1961 and RCW 3.50.290;
- (19) Section 80, chapter 299, Laws of 1961 and RCW 3.50.310;
- (20) Section 84, chapter 299, Laws of 1961 and RCW 3.50.350;
- (21) Section 85, chapter 299, Laws of 1961 and RCW 3.50.360;
- (22) Section 86, chapter 299, Laws of 1961 and RCW 3.50.370;
- (23) Section 87, chapter 299, Laws of 1961 and RCW 3.50.380;
- (24) Section 88, chapter 299, Laws of 1961 and RCW 3.50.390;
- (25) Section 89, chapter 299, Laws of 1961 and RCW 3.50.400;
- (26) Section 90, chapter 299, Laws of 1961, section 15, chapter 81, Laws of 1971 and RCW 3.50.410;
- (27) Section 91, chapter 299, Laws of 1961 and RCW 3.50.420;
- (28) Section 95, chapter 299, Laws of 1961 and RCW 3.50.460; and
- (29) Section 96, chapter 299, Laws of 1961 and RCW 3.50.470.

NEW SECTION. Sec. 137. The following acts or parts of acts are each repealed:

- (1) Section 35.20.040, chapter 7, Laws of 1965 and RCW 35.20.040;
- (2) Section 35.20.050, chapter 7, Laws of 1965 and RCW 35.20.050;
- (3) Section 35.20.060, chapter 7, Laws of 1965 and RCW 35.20.060;
- (4) Section 35.20.070, chapter 7, Laws of 1965, section 88, chapter 81, Laws of 1971 and RCW 35.20.070;
- (5) Section 35.20.080, chapter 7, Laws of 1965 and RCW 35.20.080;
- (6) Section 35.20.900, chapter 7, Laws of 1965, section 5, chapter 33, Laws of 1975 and RCW 35.20.900; and
- (7) Section 35.21.170, chapter 7, Laws of 1965 and RCW 35.21.170.

NEW SECTION. Sec. 138. The following acts or parts of acts are each repealed:

- (1) Section 35.22.420, chapter 7, Laws of 1965, section 3, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.420;
- (2) Section 35.22.430, chapter 7, Laws of 1965 and RCW 35.22.430;
- (3) Section 35.22.440, chapter 7, Laws of 1965 and RCW 35.22.440;
- (4) Section 35.22.460, chapter 7, Laws of 1965, section 4, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.460;
- (5) Section 35.22.480, chapter 7, Laws of 1965, section 5, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.480;
- (6) Section 5, chapter 241, Laws of 1967 and RCW 35.22.485;
- (7) Section 35.22.490, chapter 7, Laws of 1965 and RCW 35.22.490;
- (8) Section 35.22.500, chapter 7, Laws of 1965 and RCW 35.22.500;
- (9) Section 35.22.510, chapter 7, Laws of 1965, section 26, chapter 136, Laws of 1979 ex. sess. and RCW 35.22.510;
- (10) Section 35.22.520, chapter 7, Laws of 1965 and RCW 35.22.520;

(11) Section 35.22.530, chapter 7, Laws of 1965, section 27, chapter 136, Laws of 1979 ex. sess. and RCW 35.22.530;

(12) Section 35.22.540, chapter 7, Laws of 1965 and RCW 35.22.540;

(13) Section 35.22.550, chapter 7, Laws of 1965 and RCW 35.22.550; and

(14) Section 35.22.560, chapter 7, Laws of 1965, section 89, chapter 81, Laws of 1971 and RCW 35.22.560.

NEW SECTION. Sec. 139. The following acts or parts of acts are each repealed:

(1) Section 35.23.590, chapter 7, Laws of 1965 and RCW 35.23.590;

(2) Section 35.23.600, chapter 7, Laws of 1965, section 8, chapter 116, Laws of 1965 ex. sess. and RCW 35.23.600;

(3) Section 35.23.610, chapter 7, Laws of 1965 and RCW 35.23.610;

(4) Section 35.23.620, chapter 7, Laws of 1965, section 7, chapter 241, Laws of 1967 and RCW 35.23.620;

(5) Section 6, chapter 241, Laws of 1967 and RCW 35.23.625;

(6) Section 35.23.630, chapter 7, Laws of 1965 and RCW 35.23.630;

(7) Section 35.23.640, chapter 7, Laws of 1965 and RCW 35.23.640;

(8) Section 35.23.650, chapter 7, Laws of 1965, section 1, chapter 35, Laws of 1969 and RCW 35.23.650;

(9) Section 35.23.660, chapter 7, Laws of 1965 and RCW 35.23.660; and

(10) Section 35.23.670, chapter 7, Laws of 1965 and RCW 35.23.670.

NEW SECTION. Sec. 140. The following acts or parts of acts are each repealed:

(1) Section 35.24.450, chapter 7, Laws of 1965, section 1, chapter 94, Laws of 1965, section 11, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.450;

(2) Section 35.24.460, chapter 7, Laws of 1965, section 2, chapter 94, Laws of 1965, section 12, chapter 116, Laws of 1965 ex. sess., section 29, chapter 136, Laws of 1979 ex. sess. and RCW 35.24.460;

(3) Section 8, chapter 241, Laws of 1967 and RCW 35.24.465;

(4) Section 35.24.470, chapter 7, Laws of 1965, section 13, chapter 116, Laws of 1965 ex. sess., section 30, chapter 136, Laws of 1979 ex. sess. and RCW 35.24.470;

(5) Section 1, chapter 108, Laws of 1965 and RCW 35.24.480;

(6) Section 35.27.520, chapter 7, Laws of 1965, section 16, chapter 116, Laws of 1965 ex. sess., section 1, chapter 28, Laws of 1969 and RCW 35.27.520;

(7) Section 2, chapter 108, Laws of 1965 and RCW 35.27.525;

(8) Section 35.27.530, chapter 7, Laws of 1965, section 17, chapter 116, Laws of 1965 ex. sess., section 31, chapter 136, Laws of 1979 ex. sess. and RCW 35.27.530;

(9) Section 9, chapter 241, Laws of 1967 and RCW 35.27.535; and

(10) Section 35.27.540, chapter 7, Laws of 1965, section 18, chapter 116, Laws of 1965 ex. sess., section 32, chapter 136, Laws of 1979 ex. sess. and RCW 35.27.540.

NEW SECTION. Sec. 141. The following acts or parts of acts are each repealed:

(1) Section 35A.20.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.010;

(2) Section 35A.20.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.020;

(3) Section 35A.20.030, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.030;

(4) Section 35A.20.040, chapter 119, Laws of 1967 ex. sess., section 33, chapter 136, Laws of 1979 ex. sess. and RCW 35A.20.040;

(5) Section 35A.20.050, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.050;

(6) Section 35A.20.060, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.060;

(7) Section 35A.20.070, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.070;

(8) Section 35A.20.080, chapter 119, Laws of 1967 ex. sess., section 34, chapter 136, Laws of 1979 ex. sess. and RCW 35A.20.080;

(9) Section 35A.20.090, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.090;

(10) Section 35A.20.100, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.100;

(11) Section 35A.20.110, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.110;

(12) Section 35A.20.120, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.120; and

(13) Section 35A.20.130, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.130.

Sec. 142. Section 46.08.190, chapter 12, Laws of 1961 and RCW 46.08.190 are each amended to read as follows:

Every (~~(justice of the peace and police)~~) district and municipal court judge shall have concurrent jurisdiction with superior court judges of the state for all violations of the provisions of this title and may impose any punishment provided therefor.

Sec. 143. Section 6, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 221, Laws of 1983 and RCW 46.63.040 are each amended to read as follows:

(1) All violations of state law, local law, ordinance, regulation, or resolution designated as traffic infractions in RCW 46.63.020 may be heard and determined by a district court, except as otherwise provided in this section.

(2) Any municipal (~~(or police)~~) court has the authority to hear and determine traffic infractions pursuant to this chapter.

(3) Any city or town with a municipal (~~(or police)~~) court may contract with the county to have traffic infractions committed within the city or town adjudicated by a district court.

(4) District court commissioners have the authority to hear and determine traffic infractions pursuant to this chapter.

(5) The boards of regents of the state universities, and the boards of trustees of the regional universities and of The Evergreen State College have the authority to hear and determine traffic infractions under RCW 28B.10.560.

Sec. 144. Section 46.83.050, chapter 12, Laws of 1961 and RCW 46.83.050 are each amended to read as follows:

Every (~~(police)~~) municipal court, (~~(justice)~~) district court, juvenile court, superior court, and every other court handling traffic cases within the limits of a county wherein a traffic school has been established may, as a part of any sentence imposed following a conviction for any traffic law violation, or as a condition on the suspension of sentence or deferral of any imposition of sentence, order any person so convicted, whether that person be a juvenile, a minor, or an adult, to attend the traffic school for a number of days to be determined by the court, but not to exceed the maximum number of days which the violator could be required to serve in the city or county jail as a result of his or her conviction.

Sec. 145. Section 3, page 121, Laws of 1890 and RCW 78.12.030 are each amended to read as follows:

Upon the filing of the notice, as provided in RCW 78.12.020, the (~~(justice of the peace or judge of the police)~~) district or municipal court shall issue an order, directed to the sheriff of the county or to any constable or city marshal therein, directing such officer to serve a notice in manner and form as is prescribed by law for service of summons upon any person or persons or the authorized agent or agents of any company or corporation named in the notice on file, as provided in RCW 78.12.020.

Sec. 201. Section 35.20.010, chapter 7, Laws of 1965 as amended by section 4, chapter 33, Laws of 1975 and RCW 35.20.010 are each amended to read as follows:

(1) There is hereby created and established in each incorporated city of this state having a population of more than four hundred thousand inhabitants, as shown by the federal or state census, whichever is the later, a municipal court, which shall be styled 'The Municipal Court of (name of city),' hereinafter designated and referred to as the municipal court, which court shall have jurisdiction and shall exercise all the powers by this chapter declared to be vested in such municipal court, together with such powers and jurisdiction as is generally conferred in this state either by common law or statute.

(2) A municipality operating a municipal court under this section may terminate that court if the municipality has reached an agreement with the county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the termination. The agreement shall provide for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality

and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 202. There is added to chapter 3.50 RCW a new section to read as follows:

(1) If a municipality has, prior to the effective date of this section, repealed in its entirety that portion of its municipal code defining crimes but continues to hear and determine traffic infraction cases under chapter 46.63 RCW in a municipal court, the municipality and the appropriate county shall, prior to January 1, 1985, enter into an agreement under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs incurred after January 1, 1985, associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. If the municipality and the county cannot come to an agreement within the time prescribed by this section, they shall be deemed to have entered into an agreement to submit the issue to arbitration pursuant to chapter 7.04 RCW. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

(2) The agreement between the municipality and the county shall include provisions for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 203. There is added to chapter 3.50 RCW a new section to read as follows:

(1) A municipality operating a municipal court under this chapter shall not terminate that court unless the municipality has reached an agreement with the appropriate county or another municipality under chapter 39.34 RCW under which the county or municipality is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district or municipal court as a result of the termination. The agreement shall provide for periodic review and renewal of the terms of the agreement. If the municipality and the county or municipality are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county or municipality have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW. A municipality that has entered into agreements with other municipalities that have terminated their municipal courts may not thereafter terminate its court unless each municipality has reached an agreement with the appropriate county in accordance with this section.

(2) A municipality operating a municipal court under this chapter may not repeal in its entirety that portion of its municipal code defining crimes while retaining the court's authority to hear and determine traffic infractions under chapter 46.63 RCW unless the municipality has reached an agreement with the county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall provide for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

(3) A municipality operating a municipal court under this chapter may not repeal a provision of its municipal code which defines a crime equivalent to an offense listed in RCW 46.63.020 unless the municipality has reached an agreement

with the county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall provide for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 204. There is added to chapter 35.22 RCW a new section to read as follows:

A city of the first class operating a municipal court may not repeal in its entirety that portion of its municipal code defining crimes or repeal a provision of its municipal code which defines a crime equivalent to an offense listed in RCW 46.63.020 unless the municipality has reached an agreement with the appropriate county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall include provisions for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 205. There is added to chapter 35.23 RCW a new section to read as follows:

A city of the second class operating a municipal court may not repeal in its entirety that portion of its municipal code defining crimes or repeal a provision of its municipal code which defines a crime equivalent to an offense listed in RCW 46.63.020 unless the municipality has reached an agreement with the appropriate county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall include provisions for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 206. There is added to chapter 35.24 RCW a new section to read as follows:

A city of the third class operating a municipal court may not repeal in its entirety that portion of its municipal code defining crimes or repeal a provision of its municipal code which defines a crime equivalent to an offense listed in RCW 46.63.020 unless the municipality has reached an agreement with the appropriate county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall include provisions for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 207. There is added to chapter 35.27 RCW a new section to read as follows:

A town operating a municipal court may not repeal in its entirety that portion of its municipal code defining crimes or repeal a provision of its municipal code which defines a crime equivalent to an offense listed in RCW 46.63.020 unless the municipality has reached an agreement with the appropriate county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall include provisions for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 208. There is added to chapter 35.30 RCW a new section to read as follows:

A city operating a municipal court may not repeal in its entirety that portion of its municipal code defining crimes unless the municipality has reached an agreement with the appropriate county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall include provisions for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 209. There is added to chapter 35A.11 RCW a new section to read as follows:

A code city operating a municipal court may not repeal in its entirety that portion of its municipal code defining crimes unless the municipality has reached an agreement with the appropriate county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the repeal. The agreement shall include provisions for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

Sec. 210. Section 49, chapter 299, Laws of 1961 and RCW 3.46.150 are each amended to read as follows:

Any city, having established a municipal department as provided in this chapter may, by written notice to the ~~((board of county commissioners))~~ county legislative authority not less than thirty days prior to February 1st of any year, require the ~~((abolition))~~ termination of the municipal department created pursuant to this chapter. However, the city may not give the written notice required by this section unless the city has reached an agreement with the county under chapter 39.34 RCW under which the county is to be paid a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district court as a result of the termination. The agreement shall provide for periodic review and renewal of the terms of the agreement. If the municipality and the county are unable to agree on the terms for renewal of the agreement, they shall be deemed to have entered into an agreement to submit the issue to arbitration under chapter 7.04 RCW. Pending conclusion of the arbitration proceeding, the terms of the agreement shall remain in effect. The municipality and the county

have the same rights and are subject to the same duties as other parties who have agreed to submit to arbitration under chapter 7.04 RCW.

NEW SECTION. Sec. 301. It is the intent of the legislature to assure accountability, uniformity, economy, and efficiency in the collection and distribution by superior, district, and municipal courts of fees, fines, forfeitures, and penalties assessed and collected for violations of state statutes, and county, city, and town ordinances.

Sec. 302. Section 22, chapter 299, Laws of 1961 as last amended by section 19 of this 1984 act and RCW 3.34.130 are each amended to read as follows:

(1) Each district court shall designate one or more persons as judge pro tempore who shall serve during the temporary absence, disqualification, or incapacity of a district judge. The qualifications of a judge pro tempore shall be the same as for a district judge, except that with respect to RCW 3.34.060(1), the person appointed need only be a registered voter of the state. A judge pro tempore may sit in any district of the county for which he or she is appointed. A judge pro tempore shall be paid for each day he or she holds a session one-two hundred fiftieth of the annual salary of a full time district judge. For each day that a judge pro tempore serves in excess of thirty days during any calendar year, the annual salary of the judge in whose place he or she serves shall be reduced by an amount equal to one-two hundred fiftieth of such salary: PROVIDED, That each full time district judge shall have up to fifteen days annual leave without reduction for service on judicial commissions established by the legislature or the chief justice of the supreme court. No reduction in salary shall occur when a judge pro tempore serves while a district judge is using sick leave granted in accordance with RCW 3.34.100.

(2) The legislature may appropriate money ~~((from the judiciary education account to the administrator for the courts pursuant to RCW 2.56.100))~~ for the purpose of reimbursing counties for the salaries of judges pro tempore for certain days in excess of thirty worked per year that the judge pro tempore was required to work as the result of service by a judge on a commission as authorized under subsection (1) of this section. No later than September 1 of each year, each county treasurer shall certify to the administrator for the courts for the year ending the preceding June 30, the number of days in excess of thirty that any judge pro tempore was required to work as the result of service by a judge on a commission as authorized under subsection (1) of this section. Upon receipt of the certification, the administrator for the courts shall reimburse the county from money appropriated for that purpose.

Sec. 303. Section 46, chapter 299, Laws of 1961 as amended by section 4, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.46.120 are each amended to read as follows:

(1) All ~~((revenue))~~ money received by the clerk of a municipal department including penalties, fines, bail forfeitures, fees and costs assessed and collected in whole or in part by the court shall be paid by the clerk to the city treasurer ~~((for the use of the city)).~~

(2) The city treasurer shall remit monthly thirty-five percent of the money received under this section, other than for parking infractions, to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in section 338 of this 1984 act.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

Sec. 304. Section 59, chapter 299, Laws of 1961 as amended by section 3, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.50.100 are each amended to read as follows:

(1) Costs in civil and criminal actions may be imposed as provided in district court. All fees, costs, fines, forfeitures and other money~~((s))~~ imposed by any municipal court for the violation of any municipal or town ordinances shall be collected by the court clerk and, together with any other revenues received by the clerk, shall be deposited with the city or town treasurer as a part of the general fund of the city or town, or deposited in such other fund of the city or town, or deposited in such other funds as may be designated by the laws of the state of Washington.

(2) The city treasurer shall remit monthly thirty-five percent of the money received under this section, other than for parking infractions, to the state treasurer.

Money remitted under this subsection to the state treasurer shall be deposited as provided in section 338 of this 1984 act.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

Sec. 305. Section 105, chapter 299, Laws of 1961 and RCW 3.62.010 are each amended to read as follows:

The district court may at the time of sentencing or at any time thereafter suspend a portion or all of a fine or penalty ~~((except that costs of the action shall not be suspended. PROVIDED, That the court may suspend costs in the case of juvenile or indigent defendants. 'Costs' for the purpose of this section, does not include jury fees, witness fees or sheriff's fees)).~~

Sec. 306. Section 106, chapter 299, Laws of 1961 as last amended by section 8, chapter 73, Laws of 1971 and RCW 3.62.020 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, all fees, fines, forfeitures and penalties assessed and collected in whole or in part by district courts, except fines, forfeitures and penalties assessed and collected, in whole or in part, because of the violation of city ordinances, shall be ((collected and)) remitted by the clerk of the district court to the county treasurer at least monthly, together with a financial statement as required by the division of municipal corporations, noting the information necessary for crediting of such funds as required by law. ((The county treasurer shall place these moneys into the justice court suspense fund.))

(2) The county treasurer shall remit thirty-five percent of the money received under subsection (1) of this section to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in section 338 of this 1984 act.

(3) The balance of the money received by the county treasurer under subsection (1) of this section shall be deposited in the county current expense fund.

(4) All money collected for county parking infractions shall be remitted by the clerk of the district court at least monthly, with the information required under subsection (1) of this section, to the county treasurer for deposit in the county current expense fund.

Sec. 307. Section 108, chapter 299, Laws of 1961 as amended by section 2, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.62.040 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, all costs, fines, forfeitures and penalties assessed and collected, in whole or in part, by district courts because of violations of city ordinances shall be ((collected and)) remitted by the clerk of the district court at least monthly directly to the treasurer of the city wherein the violation occurred.

(2) The city treasurer shall remit monthly thirty-five percent of the money received under this section, other than for parking infractions, to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in section 338 of this 1984 act.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

(4) All money collected for city parking infractions shall be remitted by the clerk of the district court at least monthly to the city treasurer for deposit in the city's general fund.

Sec. 308. Section 109, chapter 299, Laws of 1961 as last amended by section 1, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.050 are each amended to read as follows:

~~((Quarterly, the county treasurer shall determine))~~ The total expenditures of the justice courts, including the cost of providing courtroom and office space, the cost of probation and parole services and any personnel employment therefor, and the cost of providing services necessary for the preparation and presentation of a defense at public expense, except costs of defense to be paid by a city pursuant to RCW 3.62.070 ~~((The treasurer shall then transfer an amount, equal to the total expenditures, from the justice court suspense fund to)), shall be paid from the county current expense fund. ((The treasurer shall then, using the percentages established as in RCW 3.62.015 provided remit the appropriate amounts of the remaining balance in the justice court suspense fund to the state general fund and~~

~~to the appropriate city treasurer(s). The final remaining balance of the justice court suspense fund shall then be remitted as specified by the county commissioners:))~~

Sec. 309. Section 110, chapter 299, Laws of 1961 as last amended by section 1, chapter 330, Laws of 1981 and RCW 3.62.060 are each amended to read as follows:

In any civil action commenced before or transferred to a ~~((justice))~~ district court, the plaintiff shall, at the time of such commencement or transfer, pay to such court a filing fee of twenty dollars. ~~((Fees for the support of county law libraries provided for in RCW 27.24.070 shall be paid by the clerk out of the filing fee provided for in this section:))~~ No party shall be compelled to pay to the court any other fees or charges up to and including the rendition of judgment in the action.

~~((Three dollars of the filing fee collected under this section shall be transmitted each month to the state treasurer for deposit in the general fund:))~~

Sec. 310. Section 1, chapter 249, Laws of 1953 as last amended by section 1, chapter 126, Laws of 1979 and RCW 27.24.070 are each amended to read as follows:

In each county pursuant to this chapter, the ~~((clerk of the superior court shall pay from each fee collected for the filing in his office of))~~ county treasurer shall deposit in the county or regional law library fund a sum equal to seven dollars for every new probate or civil matter, including appeals, ((the sum of seven dollars)) filed with the clerk of the superior court and three dollars for every civil action commenced in district court for the support of the law library in that county or the regional law library to which the county belongs((which shall be paid to the county treasurer to be credited to the county or regional law library fund)); PROVIDED, That upon a showing of need the seven dollar ~~((fee))~~ contribution may be increased up to nine dollars upon the request of the law library board of trustees and with the approval of the county legislative body or bodies. ~~((There shall be paid from the filing fee paid by each person instituting an action, when the first paper is filed, to each justice of the peace in every civil action commenced in such court where the demand or value of the property in controversy is three hundred dollars or more, in addition to the other fees required by law the sum of three dollars as fees for the support of the law library in that county or for the regional law library which are to be taxed as part of costs in each case.~~

~~The justice of the peace shall pay such fees so collected to the county treasurer to be credited to the county or regional law library fund:))~~

Sec. 311. Section 10, chapter 302, Laws of 1977 ex. sess. as last amended by section 1, chapter 239, Laws of 1983 and RCW 7.68.035 are each amended to read as follows:

(1) Whenever any person is found guilty in any superior court ~~((of competent jurisdiction))~~ of having committed 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. The assessment shall be in addition to any other penalty or fine imposed by law and shall be fifty dollars for each case or cause of action that includes one or more convictions of a felony or gross misdemeanor and twenty-five dollars for any case or cause of action that includes convictions of only one or more misdemeanors.

(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, 46.61.522, 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 crime posts bail in superior court 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, 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 crime.

(4) ~~((Except as provided in subsection (5) of this section:))~~ Such penalty assessments shall be paid by the clerk of the superior 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 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)) the money as provided in RCW 10.82.070. Until June 30, 1987, each county shall deposit not less than one and seventy-five one-hundredths percent of the money it retains under RCW 10.82.070 and chapter 3.62 RCW and all money it receives under subsection (8) of this section into a fund maintained exclusively for the support of comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. After that date, each county shall continue to provide for such comprehensive programs. 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.

Before a program in any county west of the Cascade mountains is submitted to the department for approval, it shall be submitted for review and comment to each city within the county with a population of more than one hundred fifty thousand. The department will consider if the county's proposed comprehensive plan meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county.

(5) ~~Upon submission to the department of a letter of intent to adopt a comprehensive program ((by a prosecuting attorney, the city or county treasurer, as the case may be, may transmit monthly eighty percent of such penalty assessments to the state treasurer and provide the remaining twenty percent of such assessments to the county prosecuting attorney to be used exclusively for a comprehensive program for victims and witnesses, and)), the prosecuting attorney ((may)) shall retain ((such twenty percent)) the money deposited by the county under subsection (4) of this section until such time as the county prosecuting attorney has obtained approval of a program from the department. Approval of the comprehensive plan by the department must be obtained within one year of the date of the letter of intent to adopt a comprehensive program. The county prosecuting attorney shall not make any expenditures from the ((twenty percent penalty assessments)) money deposited under subsection (4) of this section until approval of a comprehensive plan by the department. If a county prosecuting attorney has failed to obtain approval of a program from the department under subsection (4) of this section or failed to obtain approval of a comprehensive program within one year after submission of a letter of intent under this section, the ((city or)) county treasurer((-as the case may be;)) shall monthly transmit one hundred percent of ((such penalty assessments and shall transmit all previously retained penalty assessments and interest, if any;)) the money deposited by the county under subsection (4) of this section to the state treasurer for deposit in the ((crime victims compensation account within the state general fund)) public safety and education account established under section 338 of this 1984 act.~~

(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. Upon motion of a party and a showing of good cause, the court may modify the penalty assessment in the disposition of juvenile offenses under Title 13 RCW.

(8) Until June 30, 1987, every city and town shall transmit monthly one and seventy-five one-hundredths percent of all money, other than money received for parking infractions, retained under RCW 3.46.120, 3.50.100, and 35.20.220 to the county treasurer for deposit as provided in subsection (4) of this section. After that date, every city and town shall transmit to the county a percentage of such money, up to one and seventy-five one-hundredths percent, which matches the percentage of court revenue the county provides under subsection (4) of this section.

Sec. 312. Section 16, chapter 172, Laws of 1935 as last amended by section 11, chapter 232, Laws of 1983 and RCW 9.41.160 are each amended to read as follows:

Any violation of any provision of this chapter, except as otherwise provided, shall be a misdemeanor and punishable accordingly. ~~((There shall be levied and paid into the general 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 violations of this chapter.))~~

Sec. 313. Section 3, page 421, Laws of 1873 as last amended by section 11, chapter 199, Laws of 1969 ex. sess. and RCW 10.82.070 are each amended to read as follows:

~~((Except as otherwise provided by law.)) (1) All sums of money derived from costs, fines, penalties, and forfeitures imposed or collected, in whole or in part, by a superior court for violation of orders of injunction, mandamus and other like writs, ((or) for contempt of court, ((and the net proceeds of all fines collected within the several counties of the state)) or for breach of the penal laws((- and all funds arising from the sale of lost goods and estrays, and from penalties and forfeitures.)) shall be paid in cash by the person collecting the same, within twenty days after the collection, to the county treasurer of the county in which the same have accrued((- and shall be by him transmitted to the state treasurer, for deposit in the general fund. PROVIDED, That)).~~

(2) The county treasurer shall remit monthly thirty-five percent of the money received under this section to the state treasurer for deposit as provided under section 338 of this 1984 act and shall deposit the remainder as provided by law.

(3) All fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. All fees, fines, forfeitures, and penalties collected or assessed by a superior court in cases on appeal from a lower court shall be remitted to the municipal or district court from which the cases were appealed.

Sec. 314. Section 28A.87.010, chapter 223, Laws of 1969 ex. sess. as amended by section 55, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.010 are each amended to read as follows:

Any person who shall insult or abuse a teacher anywhere on the school premises while such teacher is carrying out his official duties, shall be guilty of a misdemeanor, the penalty for which shall be a fine of not less than ten dollars nor more than one hundred dollars~~((said fine shall be turned over to the county treasurer and by him remitted to the state treasurer who shall place the same to the credit of the current school fund of the state. PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended))~~.

Sec. 315. Section 28A.87.060, chapter 223, Laws of 1969 ex. sess. as amended by section 57, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.060 are each amended to read as follows:

Any person who shall wilfully create a disturbance on school premises during school hours or at school activities or school meetings shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not more than fifty dollars. ~~((Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state. PROVIDED, That all fees, fines, forfeitures and penalties~~

collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended:))

Sec. 316. Section 28A.87.070, chapter 223, Laws of 1969 ex. sess. as amended by section 58, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.070 are each amended to read as follows:

Any person having access to any question or questions prepared for the examination of teachers or common school pupils, who shall directly or indirectly disclose the same before the time appointed for the use of the questions in the examination of such teachers or pupils, or who shall directly or indirectly assist any person to answer any question submitted, shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not less than one hundred nor more than five hundred dollars. ~~((Said fine shall be turned over to the county treasurer of the county in which it is collected and shall be by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.))~~

Sec. 317. Section 28A.87.130, chapter 223, Laws of 1969 ex. sess. as amended by section 60, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.130 are each amended to read as follows:

Any school district official or employee who shall refuse or fail to deliver to his qualified successor all books, papers, and records pertaining to his position, or who shall wilfully mutilate or destroy any such property, or any part thereof, shall be guilty of a misdemeanor, the penalty for which shall be a fine not to exceed one hundred dollars: PROVIDED, That for each day there is a refusal or failure to deliver to a successor books, papers and records, a separate offense shall be deemed to have occurred ~~((: said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.))~~.

Sec. 318. Section 28A.87.140, chapter 223, Laws of 1969 ex. sess. as amended by section 61, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.140 are each amended to read as follows:

Any teacher who shall maltreat or abuse any pupil by administering any unreasonable punishment, or who shall inflict punishment on the head of a pupil, upon conviction thereof shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not exceeding one hundred dollars. ~~((Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.))~~

Sec. 319. Section 35.20.220, chapter 7, Laws of 1965 as amended by section 5, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.220 are each amended to read as follows:

(1) The chief clerk, under the supervision and direction of the court administrator of the municipal court, shall have the custody and care of the books, papers and records of said court; he shall be present by himself or deputy during the session of said court, and shall have the power to swear all witnesses and jurors, and administer oaths and affidavits, and take acknowledgments. He shall keep the records of said court, and shall issue all process under his hand and the seal of said court, and shall do and perform all things and have the same powers pertaining to his office as the clerks of the superior courts have in their office. He shall receive all fines, penalties and fees of every kind, and keep a full, accurate and detailed account of the same; and shall on each day pay into the city treasury all ~~((moneys))~~ money received for said city during the day previous, with a detailed account of the same, and taking the treasurer's receipt therefor.

(2) The city treasurer shall remit monthly thirty-five percent of the money received under this section, other than for parking infractions, to the state treasurer.

Money remitted under this subsection to the state treasurer shall be deposited as provided in section 338 of this 1984 act.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

Sec. 320. Section 35A.42.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.42.010 are each amended to read as follows:

In addition to authority granted and duties imposed upon code city treasurers by this title, code city treasurers, or the officers designated by charter or ordinance to perform the duties of a treasurer, shall have the duties and the authority to perform the following: (1) As provided in RCW 8.12.500 relating to bonds and compensation payments in eminent domain proceedings; (2) as provided in RCW 68.12.050 relating to cemetery improvement funds; (3) as provided in RCW 41.28.080 relating to custody of employees' retirement funds; (4) as provided in RCW 47.08.100 relating to the use of city street funds; (5) as provided in RCW 46.68.080 relating to motor vehicle funds; (6) ~~((as provided in RCW 46.81.050 relating to fines and bail forfeitures and additional assessments for driver education; (7)))~~ as provided in RCW 41.16.020 and chapter 41.20 RCW relating to police and firemen's relief and pension boards; ~~((8))~~ (7) as provided in chapter 42.20 RCW relating to misappropriation of funds; and ~~((9))~~ (8) as provided in chapter 39.60 RCW relating to investment of municipal funds. The treasurer shall be subject to the penalties imposed for the violation of any of such provisions. Where a provision of this title, or the general law, names the city treasurer as an officer of a board or other body, or assigns duties to a city treasurer, such position shall be filled, or such duties performed, by the officer of a code city who is performing the duties usually performed by a city treasurer, although he may not have that designation.

Sec. 321. Section 35A.47.030, chapter 119, Laws of 1967 ex. sess. as amended by section 69, chapter 3, Laws of 1983 and RCW 35A.47.030 are each amended to read as follows:

The provisions of Title 47 RCW shall apply to code cities, its officers and employees to the same extent as such provisions are applicable to any other class of city within the state, including, without limitation, the following: (1) The acquisition by the state of municipal lands and the exchange of state highway and municipal lands, as provided in chapter 47.12 RCW; (2) the dedication of public land for city streets as provided by RCW 36.34.290 and 36.34.300; (3) ~~((the allocation of fines and forfeitures for highway violations as provided in RCW 46.68.050 and 47.08.030; (4)))~~ city contributions to finance toll facilities as provided in RCW 47.56.250; ~~((5))~~ (4) contracts with the department of transportation, as provided in RCW 47.01.210; ~~((6))~~ (5) the construction, maintenance, jurisdiction, and control of city streets, as provided in chapter 47.24 RCW; ~~((7))~~ (6) agreements between the department of transportation and a city for the benefit or improvement of highways, roads, or streets, as provided in RCW 47.28.140; ~~((8))~~ (7) sales, leases, or transfers as authorized by RCW 47.12.063, 47.12.066, and 47.12.080; ~~((9))~~ (8) the erection of information signs as regulated by RCW 47.42.050 and 47.42.060; ~~((10))~~ (9) provisions relating to limited access highways under chapter 47.52 RCW; ~~((11))~~ (10) the acquisition and abandonment for state highways as provided by RCW 36.75.090 and 90.28.020; and ~~((12))~~ (11) the sharing of maintenance of streets and alleys as an extension of county roads as provided by RCW 35.77.020.

Sec. 322. Section 2, chapter 20, Laws of 1972 ex. sess. and RCW 36.18.025 are each amended to read as follows:

((An amount equal to seven dollars from each filing fee)) Thirty-five percent of the money received from filing fees paid pursuant to ((subsections (1), (2), (11) and (12) of)) RCW 36.18.020, as now or hereafter amended, ((shall be allocated to the payment of the monthly salaries of the judges of the superior courts, the court of appeals and the supreme court in the following manner:

(1) ~~Three dollars of each such amount shall be paid into the county treasury and allocated to payment of the salaries of judges of the superior courts in the county; and~~

(2) ~~Four dollars of each such amount shall be collected by the county treasurer and)) shall be transmitted by ((him)) the county treasurer each month to the state treasurer for deposit ((in the state general fund to aid in the payment of salaries of the judges of the superior courts, the court of appeals and the supreme court)) in~~

the public safety and education account established under section 338 of this 1984 act.

Sec. 323. Section 1, chapter 158, Laws of 1963 and RCW 46.08.172 are each amended to read as follows:

There is hereby established an account within the general fund of the state treasury to be known as the 'state capitol vehicle parking account'. All unpledged parking rental income (~~and fines~~) collected by the department of general administration from rental of parking space (~~and the enforcement of traffic regulations~~) on the capitol grounds and the east capitol site shall be deposited in the 'state capitol vehicle parking account'.

The 'state capitol vehicle parking account' shall be used to pay costs incurred in the operation, maintenance, regulation and enforcement of vehicle parking and parking facilities at the state capitol.

Sec. 324. Section 24, chapter 121, Laws of 1965 ex. sess. as last amended by section 16, chapter 165, Laws of 1983 and RCW 46.20.285 are each amended to read as follows:

The department shall forthwith revoke the license of any driver for the period of one (~~calendar~~) calendar year unless otherwise provided in this section, upon receiving a record of the driver's conviction of any of the following offenses, when the conviction has become final:

- (1) For vehicular homicide the period of revocation shall be two years;
- (2) Vehicular assault;
- (3) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle, upon a showing by the department's records that the conviction is the second such conviction for the driver within a period of five years. Upon a showing that the conviction is the third such conviction for the driver within a period of five years, the period of revocation shall be two years. A revocation imposed under this subsection shall run concurrently with any corresponding revocation which may be imposed by the department pursuant to RCW 46.20.610 or 46.61.515(~~(5)~~)(3) arising out of the same arrest;
- (4) Any felony in the commission of which a motor vehicle is used;
- (5) Failure to stop and give information or render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;
- (6) Perjury or the making of a false affidavit or statement under oath to the department under Title 46 RCW or under any other law relating to the ownership or operation of motor vehicles;
- (7) Reckless driving upon a showing by the department's records that the conviction is the third such conviction for the driver within a period of two years.

Sec. 325. Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 18, chapter 165, Laws of 1983 and RCW 46.20.311 are each amended to read as follows:

(1) The department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as permitted under RCW 46.20.342 or 46.61.515. Whenever the license of any person is suspended by reason of a conviction, a finding that a traffic infraction has been committed, or pursuant to RCW 46.20.291, the suspension shall remain in effect and the department shall not issue to the person any new, duplicate, or renewal license until the person pays a reinstatement fee of twenty dollars and gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504 or was imposed under RCW 46.20.610(1) (a) or (b), the reinstatement fee shall be fifty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department; (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(~~(5)~~)(3) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular

homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; or (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test under RCW 46.20.308. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reinstatement fee in the amount of twenty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be fifty dollars. The department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. A resident without a license or permit whose license or permit was denied under RCW 46.20.610 shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person pays a reinstatement fee of twenty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be fifty dollars.

Sec. 326. Section 11, chapter 165, Laws of 1983 and RCW 46.20.680 are each amended to read as follows:

When the department is required to suspend, revoke, or deny a person's license, permit, or nonresident privilege to drive under either RCW 46.20.610 or under RCW 46.61.515~~((5))~~(3), and (1) the department has earlier imposed a suspension, revocation, or denial under the other of those two provisions or is preparing to do so, and (2) each of those two sanctions has been required as the result of civil or criminal proceedings arising from the same arrest, the department shall proceed as follows:

(a) If the civil and criminal sanctions imposed or to be imposed are for the same minimum length of time, the suspension, revocation, or denial imposed by the department is limited to that first imposed and fully effective under one of those provisions;

(b) If the civil and criminal sanctions are of different minimum lengths of time, the department shall impose the sanction of longer duration. If the sanction with the shorter minimum duration has earlier been imposed by the department, the department shall reduce the minimum duration of the longer revocation by the number of days the license, permit, or privilege to drive was actually under suspension, revocation, or denial pursuant to the earlier action by the department.

If a suspension, revocation, or denial of a person's license, permit, or nonresident privilege to drive would have been imposed by the department under RCW 46.20.610 but for the operation of this section, the suspension, revocation, or denial shall be treated as if it had been imposed for the purposes of determining the minimum duration of subsequent suspensions or revocations required under that section.

Sec. 327. Section 23, chapter 64, Laws of 1975-'76 2nd ex. sess. as last amended by section 58, chapter 7, Laws of 1984 and RCW 46.44.105 are each amended to read as follows:

(1) Violation of any of the provisions of RCW 46.44.042, 46.44.047, 46.44.090, 46.44.091, 46.44.095, and 46.44.041, or failure to obtain a permit as provided by RCW 46.44.090 and 46.44.095, or misrepresentation of the size or weight of any load or failure to follow the requirements and conditions of a permit issued hereunder is a traffic infraction, and upon the first finding thereof shall be assessed a basic penalty of not less than fifty dollars; and upon a second finding thereof shall be assessed a basic penalty of not less than seventy-five dollars; and upon a third or subsequent finding shall be assessed a basic penalty of not less than one hundred dollars.

(2) In addition to the penalties imposed in subsection (1) of this section, any person violating RCW 46.44.042, 46.44.047, 46.44.090, 46.44.091, 46.44.095, or 46.44.041 shall be assessed three cents for each pound of excess weight. Upon a first violation in any calendar year, the court may suspend the penalty for five hundred pounds of excess weight for each axle on any vehicle or combination of vehicles, not to exceed a two thousand pound suspension. In no case may the basic penalty assessed in subsection (1) of this section be suspended.

(3) Whenever any vehicle or combination of vehicles is involved in two violations of RCW 46.44.042, 46.44.047, 46.44.090, 46.44.091, 46.44.095, or 46.44.041 during any twelve-month period, the court may suspend the certificate of license registration of the vehicle or combination of vehicles for not less than thirty days. Upon a third or succeeding violation in any twelve-month period, the court shall suspend the certificate of license registration for not less than thirty days. Whenever the certificate of license registration is suspended, the court shall secure such certificate and immediately forward the same to the director with information concerning the suspension.

(4) Any person found to have violated any posted limitations of a highway or section of highway shall be assessed a monetary penalty of not less than one hundred and fifty dollars, and the court shall in addition thereto upon second violation within a twelve-month period involving the same power unit, suspend the certificate of license registration for not less than thirty days.

(5) Any police officer is authorized to require the driver of any vehicle or combination of vehicles to stop and submit to a weighing either by means of a portable or stationary scale and may require that the vehicle be driven to the nearest public scale. Whenever a police officer, upon weighing a vehicle and load, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable location and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to the limit permitted by law.

Any vehicle whose driver or owner represents that the vehicle is disabled or otherwise unable to proceed to a weighing location shall have its load sealed or otherwise marked by any police officer. The owner or driver shall be directed that upon completion of repairs, the vehicle shall submit to weighing with the load and markings and/or seal intact and undisturbed. Failure to report for weighing, appearing for weighing with the seal broken or the markings disturbed, or removal of any cargo prior to weighing is unlawful. Any person so convicted shall be fined five hundred dollars, and in addition the certificate of license registration shall be suspended for not less than thirty days.

(6) Any other provision of law to the contrary notwithstanding, justice courts having venue have concurrent jurisdiction with the superior courts for the imposition of any penalties authorized under this section.

(7) For the purpose of determining additional penalties as provided by subsection (2) of this section, 'excess weight' means the poundage in excess of the maximum gross weight prescribed by RCW 46.44.042 and 46.44.041 plus the weights allowed by RCW 46.44.047, 46.44.091, and 46.44.095.

(8) ~~The ((basic penalty)) penalties provided in subsections (1) and (2) of this section ((shall be distributed as prescribed in RCW 46.68.050. However, all fees, fines, forfeitures, and penalties collected or assessed by a justice court because of the violation of a state law)) shall be remitted as provided in chapter 3.62 RCW or RCW 10.82.070. For the purpose of computing the basic penalties and additional penalties to be imposed under the provisions of subsections (1) and (2) of this section the convictions shall be on the same vehicle or combination of vehicles within a twelve-month period under the same ownership.~~

~~(9) ((The additional penalty for excess poundage provided in subsection (2) of this section shall be transmitted by the court to the county treasurer and transmitted by him to the state treasurer for deposit in the motor vehicle fund. However, all fees, fines, forfeitures, and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW. It shall then be allocated annually on or before June 30th of each year in the amounts prescribed in RCW 46.68.100.~~

(H)) Any state patrol officer or any weight control officer who finds any person operating a vehicle or a combination of vehicles in violation of the conditions of a permit issued under RCW 46.44.037, 46.44.090, and 46.44.095 may confiscate the permit and forward it to the state department of transportation which may return it to the permittee or revoke, cancel, or suspend it without refund. The department of transportation shall keep a record of all action taken upon permits so confiscated, and if a permit is returned to the permittee the action taken by the department of transportation shall be endorsed thereon. Any permittee whose permit is suspended or revoked may upon request receive a hearing before the department of transportation or person designated by that department. After the hearing the department of transportation may reinstate any permit or revise its previous action.

Every permit issued as provided for in this chapter shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any law enforcement officer or authorized agent of any authority granting such a permit.

Upon the third finding within a calendar year of a violation of the requirements and conditions of a permit issued under RCW 46.44.095 as now or hereafter amended, the permit shall be canceled, and the canceled permit shall be immediately transmitted by the court or the arresting officer to the department of transportation. The vehicle covered by the canceled permit is not eligible for a new permit for a period of thirty days.

((H)) (10) For the purposes of determining gross weights the actual scale weight taken by the arresting officer is prima facie evidence of the total gross weight.

The chief of the state patrol, with the advice of the department, may adopt reasonable rules to aid in the enforcement of this section.

Sec. 328. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 21, chapter 165, Laws of 1983 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 twenty-four consecutive hours nor more than one year, and by a fine of not more than seven hundred fifty dollars. 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. The convicted person shall, in addition, be required to complete a course in an alcohol information school approved by the department of social and health services or more intensive treatment in a program approved by the department of social and health services, as determined by the court. A diagnostic evaluation and treatment recommendation shall be prepared under the direction of the court by an alcoholism agency approved by the department of social and health services or a qualified probation department approved by the department of social and health services. A copy of the report shall be forwarded to the department of licensing. Based on the diagnostic evaluation, the court shall determine whether the convicted person shall be required to complete a course in an alcohol information school approved by the department of social and health services or more intensive treatment in a program approved by the department of social and health services. Standards for approval for alcohol treatment programs 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.

(2) On a second or subsequent conviction 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 of not more than one thousand five hundred dollars. District courts and courts organized under chapter 35.20 RCW are authorized to impose such fine. 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, at the time of a second or subsequent conviction, the driver 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 a diagnostic evaluation by an alcoholism agency approved by the department of social and health services or a qualified probation department approved by the department of social and health services. The report shall be forwarded to the department of licensing. 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 nondeferable 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. All funds derived from the penalty assessment are in addition to and exclusive of assessments made under RCW 46.81.030 and are 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. The 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 the 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 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 offense, be suspended by the department until the person reaches age nineteen or for ninety days, whichever is longer. The department of licensing shall determine the person's eligibility for licensing based upon the reports provided by the designated alcoholism agency or probation department 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 offense within a five-year period, be revoked by the department for one year. The department of licensing shall determine the person's eligibility for licensing based upon the reports provided by the designated alcoholism agency or probation department 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 of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs, vehicular homicide, or vehicular assault, or any combination thereof within a five-year period, be revoked by the department for two years.~~

~~((6))~~ (4) In any case provided for in this section, where a driver's license is to be revoked or suspended, the 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 the conviction is sustained on appeal the revocation or suspension takes effect as of the date that the conviction becomes effective for other purposes.

Sec. 329. Section 6, chapter 209, Laws of 1975 1st ex. sess. as amended by section 1, chapter 57, Laws of 1977 and RCW 46.61.587 are each amended to read as follows:

Any violation of RCW 43.51.320 or 46.61.585 or any rule promulgated by the parks and recreation commission to enforce the provisions thereof shall be punished by a fine of not more than twenty-five dollars ~~((plus court costs and said fine shall be deposited in the winter recreational parking account. Upon payment of the fine, a special winter recreational parking permit for the calendar year in which the violation occurs shall be issued by the commission to the owner of the vehicle subject to compliance with the rules and regulations governing the issuance of such permit)).~~

Sec. 330. Section 13, chapter 10, Laws of 1982 as amended by section 1, chapter 12, Laws of 1982 1st ex. sess. and by section 4, chapter 14, Laws of 1982 1st ex. sess. 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. The legislature respectfully requests the supreme court to adjust this schedule every two years for inflation.

(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 parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. 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, shall impose the monetary penalty set by the local legislative body. ~~((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, 43.101.210, 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 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. 331. Section 8, chapter 39, Laws of 1963 as last amended by section 4, chapter 76, Laws of 1977 and RCW 46.81.070 are each amended to read as follows:

(1) ~~((Subject to RCW 46.81.060))~~ Each school district shall be reimbursed from the traffic safety education account funds appropriated for traffic safety education: PROVIDED, That the state superintendent shall determine the per pupil reimbursement amount for the traffic safety education course to be funded by the state. Each school district offering an approved standard traffic safety education course shall be reimbursed or granted an amount up to the level established by the

superintendent of public instruction as may be (~~provided from the traffic safety education account~~) appropriated.

(2) The board of directors of any school district or combination of school districts may establish a traffic safety education fee, which fee when imposed shall be required to be paid by any duly enrolled student in any such school district prior to or while enrolled in a traffic safety education course. Traffic safety education fees collected by a school district shall be deposited with the county treasurer to the credit of such school district, to be used to pay costs of the traffic safety education course.

Sec. 332. Section 75.08.230, chapter 12, Laws of 1955 as last amended by section 23, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.08.230 are each amended to read as follows:

(1) Except as provided in this section, state and county officers receiving the following moneys shall deposit them in the state general fund:

- (a) The sale of licenses required under this title;
- (b) The sale of property seized or confiscated under this title;
- (c) Fines and forfeitures collected under this title;
- (d) The sale of real or personal property held for department purposes;
- (e) Rentals or concessions of the department;
- (f) Moneys received for damages to food fish, shellfish or department property;

and

- (g) Gifts.

(2) The director shall make weekly remittances to the state treasurer of moneys collected by the department.

(3) (~~The courts may retain fifty percent of fines, forfeitures, and all costs collected under this title. The courts shall remit the remainder of the fines and forfeitures to the state treasurer monthly. Where a portion of a fine assessed by a court is suspended, deferred, or otherwise not collected, the entire amount collected shall be remitted to the state treasurer.~~) All fines and forfeitures collected or assessed by a justice court for a violation of this title or rule of the director shall be remitted as provided in chapter 3.62 RCW.

(4) Proceeds from the sale of food fish or shellfish taken in test fishing conducted by the department, to the extent that these proceeds exceed the estimates in the budget approved by the legislature, may be allocated as unanticipated receipts under RCW 43.79.270 to reimburse the department for unanticipated costs for test fishing operations in excess of the allowance in the budget approved by the legislature.

(5) Proceeds from the sale of salmon and salmon eggs by the department, to the extent these proceeds exceed estimates in the budget approved by the legislature, may be allocated as unanticipated receipts under RCW 43.79.270. Allocations under this subsection shall be made only for hatchery operations partially or wholly financed by sources other than state general revenues or for purposes of processing human consumable salmon for disposal.

(6) Moneys received by the director under RCW 75.08.045, to the extent these moneys exceed estimates in the budget approved by the legislature, may be allocated as unanticipated receipts under RCW 43.79.270. Allocations under this subsection shall be made only for the specific purpose for which the moneys were received, unless the moneys were received in settlement of a claim for damages to food fish or shellfish, in which case the moneys may be expended for the conservation of these resources.

Sec. 333. Section 15, chapter 2, Laws of 1983 and RCW 69.50.505 are each amended to read as follows:

- (a) The following are subject to seizure and forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed, or acquired in violation of this chapter;

(2) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter;

(3) All property which is used, or intended for use, as a container for property described in paragraphs (1) or (2);

(4) All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in paragraphs (1) or (2), but:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent;

(iii) A conveyance is not subject to forfeiture for a violation of RCW 69.50.401(d);

(iv) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(v) When the owner of a conveyance has been arrested under this chapter the conveyance may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest;

(5) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter;

(6) All drug paraphernalia; and

(7) All moneys, negotiable instruments, securities, or other intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter: PROVIDED, That no property may be forfeited under this paragraph, to the extent of the interest of an owner, by reason of any act or omission which that owner establishes was committed or omitted without the owner's knowledge or consent.

(b) Property subject to forfeiture under this chapter may be seized by any board inspector or 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:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(3) A board inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(4) The board inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(c) In the event of seizure pursuant to subsection (b), 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 property seized and the person in charge thereof and any person having any known right or interest therein, of the seizure and intended forfeiture of the seized property. 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.

(d) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) or (a)(7) of this section within forty-five days of the seizure, the item seized shall be deemed forfeited.

(e) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) or (a)(7) of this section 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, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under 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 aggregate value of the article or articles involved is more than five hundred dollars. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the article or articles 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 items specified in subsection (a)(4) or (a)(7) of this section. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (a)(4) or (a)(7) of this section.

(f) When property is forfeited under this chapter the board or seizing law enforcement agency may:

(1) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(2) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds and all moneys forfeited under this title shall be used for payment of all proper expenses of the investigation leading to the seizure, including any money delivered to the subject of the investigation by the law enforcement agency, and of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, actual costs of the prosecuting or city attorney, and court costs. Fifty percent of the money remaining after payment of such expenses (~~shall be deposited in the criminal justice training account established under RCW 43.101.210 which shall be appropriated by law to the Washington state criminal justice training commission and fifty percent~~) shall be deposited in the general fund of the state, county, and/or city of the seizing law enforcement agency, and fifty percent shall be remitted to the state treasurer for deposit in the public safety and education account established in section 338 of this 1984 act;

(3) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or

(4) Forward it to the Bureau for disposition.

(g) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the board, the owners of which are unknown, are contraband and shall be summarily forfeited to the board.

(h) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the board.

(i) The failure, upon demand by a board inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he is the holder thereof constitutes authority for the seizure and forfeiture of the plants.

Sec. 334. Section 77.12.170, chapter 36, Laws of 1955 as amended by section 1, chapter 284, Laws of 1983 and by section 2, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.12.170 are each reenacted and amended to read as follows:

(1) There is established in the state treasury the state game fund which consists of moneys received from:

(a) Rentals or concessions of the department;

(b) The sale of real or personal property held for department purposes;

(c) The sale of licenses, permits, tags, stamps, and punchcards required by this title;

(d) Fees for informational materials published by the department;

(e) Fees for personalized vehicle license plates as provided in chapter 46.16 RCW;

(f) Articles or wildlife sold by the commission under this title;

(g) ~~((Penalty assessments collected under RCW 77.21.050;~~

~~(h)) Compensation for wildlife losses or gifts or grants received under RCW 77.12.320; and~~

~~((i) Fines, forfeitures, and costs collected under this title for violations of law or rules of the commission;~~

~~(j)) (h) Excise tax on anadromous game fish collected under chapter 82.27 RCW((-and~~

~~(k) Reimbursements collected under RCW 77.21.070)).~~

~~(2) ((Courts shall collect fines(-) forfeitures, and reimbursements and deposit them within fifteen days after the end of each quarter in the state treasury. Except as provided in RCW 77.12.201, the treasurer shall credit fifty percent of these fines and forfeitures to the state game fund and shall return the remainder to the county in which it was collected.~~

~~(3)) State and county officers receiving any moneys listed in subsection (1) of this section shall deposit them in the state treasury to be credited to the state game fund.~~

~~((4) The term 'fines and forfeitures' includes amounts, by whatever name known, levied by courts for violations of this title or rules of the commission but does not include penalty assessments under RCW 77.21.050, actual court costs, or reimbursements required under RCW 77.21.070;))~~

Sec. 335. Section 2, chapter 97, Laws of 1965 ex. sess. as last amended by section 36, chapter 78, Laws of 1980 and RCW 77.12.201 are each amended to read as follows:

The legislative authority of a county may elect, by giving written notice to the director and the treasurer prior to January 1st of any year, to obtain for the following year an amount in lieu of real property taxes on game lands equal to that which would be paid on similar parcels of real property situated in the county. ~~((Upon the election, all fines and forfeitures received by the county during that year under RCW 77.12.170 shall be deposited in the state treasury to be credited to the state game fund;))~~ Upon the election, the county shall keep a record of all fines, forfeitures, reimbursements, and costs assessed and collected, in whole or in part, under this title for violations of law or rules of the commission and shall monthly remit an amount equal to the amount collected to the state treasurer for deposit in the public safety and education account established under section 338 of this 1984 act. The election shall continue until the department is notified differently prior to January 1st of any year.

Sec. 336. Section 3, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.21.070 are each amended to read as follows:

(1) Whenever a person is convicted of illegal hunting or possession of wildlife listed in this subsection, the convicting court shall order the person to reimburse the state in the following amounts for each animal killed or possessed:

- (a) Moose, antelope, mountain sheep, mountain goat, and all wildlife species classified as endangered by rule of the commission \$1,000
- (b) Elk, deer, black bear, and cougar \$500

(2) For the purpose of this section, the term 'convicted' includes a plea of guilty, a finding of guilt regardless of whether the imposition of the sentence is deferred or any part of the penalty is suspended, and the payment of a fine.

(3) If two or more persons are convicted of illegally hunting or possessing wildlife listed in this section, the reimbursement amount shall be imposed upon them jointly and separately.

(4) The reimbursement amount provided in this section shall be imposed in addition to and regardless of any penalty, including fines, or costs, that is provided for violating any provision of Title 77 RCW. The reimbursement required by this section shall be included by the court in any pronouncement of sentence and may

not be suspended, waived, modified, or deferred in any respect. Nothing in this section may be construed to abridge or alter alternative rights of action or remedies in equity or under common law or statutory law, criminal or civil.

(5) A defaulted reimbursement or any installment payment thereof may be collected by any means authorized by law for the enforcement of orders of the court or collection of a fine or costs, including vacation of a deferral of sentencing or of a suspension of sentence.

~~((6) All moneys derived from reimbursements required under this section shall be remitted within fifteen days after the end of each fiscal quarter to the state treasurer to the credit of the state game fund.))~~

NEW SECTION. Sec. 337. There is added to chapter 3.62 RCW a new section to read as follows:

There shall be assessed and collected in addition to any fines, forfeitures, or penalties assessed, other than for parking infractions, by all courts organized under Title 3 or 35 RCW a public safety and education assessment equal to sixty percent of such fines, forfeitures, or penalties, which shall be remitted as provided in chapters 3.46, 3.50, 3.62, and 35.20 RCW. The assessment required by this section shall not be suspended or waived by the court.

NEW SECTION. Sec. 338. There is added to chapter 43.08 RCW a new section to read as follows:

The money received by the state treasurer from fees, fines, forfeitures, penalties, reimbursements or assessments by any court organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be deposited in the public safety and education account which is hereby created in the state general fund. The legislature shall appropriate the funds in the account to promote traffic safety education, highway safety, criminal justice training, crime victims' compensation, judicial education, the judicial information system, winter recreation parking, and state game programs.

NEW SECTION. Sec. 339. The following acts or parts of acts are each repealed:

- (1) Section 7, chapter 132, Laws of 1981, section 1, chapter 9, Laws of 1983 1st ex. sess. and RCW 2.56.100;
- (2) Section 1, chapter 199, Laws of 1969 ex. sess., section 2, chapter 130, Laws of 1974 ex. sess., section 129, chapter 78, Laws of 1980 and RCW 3.62.015;
- (3) Section 4, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.055;
- (4) Section 2, chapter 330, Laws of 1981 and RCW 3.62.080;
- (5) Section 4, chapter 330, Laws of 1981 and RCW 13.40.260;
- (6) Section 2, chapter 107, Laws of 1977 ex. sess. and RCW 36.18.026;
- (7) Section 2, chapter 70, Laws of 1980, section 6, chapter 330, Laws of 1981 and RCW 36.18.027;
- (8) Section 3, chapter 212, Laws of 1977 ex. sess., section 1, chapter 164, Laws of 1979 ex. sess., section 8, chapter 4, Laws of 1981, section 1, chapter 127, Laws of 1981 and RCW 43.101.210;
- (9) Section 3, chapter 130, Laws of 1974 ex. sess. and RCW 46.61.518;
- (10) Section 46.68.050, chapter 12, Laws of 1961, section 10, chapter 99, Laws of 1969, section 23, chapter 199, Laws of 1969 ex. sess. and RCW 46.68.050;
- (11) Section 2, chapter 9, Laws of 1970 ex. sess., section 1, chapter 26, Laws of 1971 ex. sess., section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030;
- (12) Section 5, chapter 39, Laws of 1963 and RCW 46.81.040;
- (13) Section 3, chapter 9, Laws of 1970 ex. sess. and RCW 46.81.050;
- (14) Section 7, chapter 39, Laws of 1963, section 5, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.060;
- (15) Section 47.08.030, chapter 13, Laws of 1961, section 26, chapter 199, Laws of 1969 ex. sess. and RCW 47.08.030; and
- (16) Section 1, chapter 57, Laws of 1975, section 31, chapter 78, Laws of 1980 and RCW 77.21.050.

NEW SECTION. Sec. 340. All money which represents fines, fees, forfeitures, or penalties collected before July 1, 1985, under the sections amended or repealed in this act and held in trust by courts on July 1, 1985, shall be transferred to the appropriate county, city, and town treasurers no later than July 15, 1985. All unexpended money contained in the accounts abolished by this act shall be transferred to the account established in section 338 of this act.

NEW SECTION. Sec. 401. There is added to chapter 2.04 RCW a new section to read as follows:

The annual salary of justices of the supreme court shall be prescribed by the legislature in the biennial omnibus appropriations act. No salary warrant may be issued to a justice of the supreme court until the justice files with the state treasurer an affidavit that no matter referred to the justice for opinion or decision has been uncompleted or undecided for more than six months.

NEW SECTION. Sec. 402. There is added to chapter 2.06 RCW a new section to read as follows:

The annual salary of the judges of the court of appeals shall be prescribed by the legislature in the biennial omnibus appropriations act. No salary warrant may be issued to any judge until the judge files with the state treasurer an affidavit that no matter referred to the judge for opinion or decision has been uncompleted for more than six months.

NEW SECTION. Sec. 403. There is added to chapter 2.08 RCW a new section to read as follows:

The annual salary of the judges of the superior court shall be prescribed by the legislature in the biennial omnibus appropriations act.

NEW SECTION. Sec. 404. The following acts or parts of acts are each repealed, including any amendments enacted during 1984:

(1) Section 1, chapter 144, Laws of 1953, section 1, chapter 260, Laws of 1957, section 1, chapter 127, Laws of 1965 ex. sess., section 1, chapter 100, Laws of 1972 ex. sess., section 2, chapter 106, Laws of 1973, section 3, chapter 149, Laws of 1974 ex. sess. (Initiative Measure No. 282), section 2, chapter 263, Laws of 1975 1st ex. sess., section 2, chapter 318, Laws of 1977 ex. sess., section 4, chapter 255, Laws of 1979 ex. sess. and RCW 2.04.090;

(2) Section 6, chapter 221, Laws of 1969 ex. sess., section 2, chapter 100, Laws of 1972 ex. sess., section 3, chapter 106, Laws of 1973, section 4, chapter 149, Laws of 1974 ex. sess. (Initiative Measure No. 282), section 3, chapter 263, Laws of 1975 1st ex. sess., section 3, chapter 318, Laws of 1977 ex. sess., section 5, chapter 255, Laws of 1979 ex. sess. and RCW 2.06.060;

(3) Section 2, chapter 144, Laws of 1953, section 2, chapter 260, Laws of 1957, section 2, chapter 127, Laws of 1965 ex. sess., section 1, chapter 65, Laws of 1967, section 3, chapter 100, Laws of 1972 ex. sess., section 5, chapter 149, Laws of 1974 ex. sess. (Initiative Measure No. 282), section 4, chapter 263, Laws of 1975 1st ex. sess., section 4, chapter 318, Laws of 1977 ex. sess., section 6, chapter 255, Laws of 1979 ex. sess. and RCW 2.08.090; and

(4) Section 1, chapter 259, Laws of 1957, section 1, chapter 93, Laws of 1969, section 1, chapter 156, Laws of 1974 ex. sess., section 7, chapter 255, Laws of 1979 ex. sess. and RCW 2.56.010.

NEW SECTION. Sec. 405. There is added to chapter 2.56 RCW a new section to read as follows:

There shall be a state office to be known as the office of administrator for the courts who shall be appointed by the supreme court of this state from a list of five persons submitted by the governor, and shall hold office at the pleasure of the appointing power. The administrator for the courts shall receive a salary prescribed by the legislature in the biennial omnibus appropriations act.

NEW SECTION. Sec. 501. (1) The legislature finds and declares that:

(a) The resolution of many disputes can be costly and complex in a judicial setting where the parties involved are necessarily in an adversary posture and subject to formalized procedures; and

(b) Alternative dispute resolution centers can meet the needs of Washington's citizens by providing forums in which persons may voluntarily participate in the resolution of disputes in an informal and less adversarial atmosphere.

(2) It is the intent of the legislature that programs established pursuant to this chapter:

(a) Stimulate the establishment and use of dispute resolution centers to help meet the need for alternatives to the courts for the resolution of certain disputes.

(b) Encourage continuing community participation in the development, administration, and oversight of local programs designed to facilitate the informal resolution of disputes between and among members of the community.

(c) Offer structures for dispute resolution which may serve as models for resolution centers in other communities.

(d) Serve a specific community or locale and resolve disputes that arise within that community or locale.

(e) Educate the community on ways of using the services of the neighborhood dispute resolution center directly and in a preventive capacity.

NEW SECTION. Sec. 502. (1) A dispute resolution center may be created and operated by a municipality, county, or by a corporation organized exclusively for the resolution of disputes or for charitable or educational purposes. The corporation shall not be organized for profit, and no part of the net earnings may inure to the benefit of any private shareholders or individuals. The majority of the directors of such a corporation shall not consist of members of any single profession.

(2) A dispute resolution center may not begin operation under this chapter until a plan for establishing a center for the mediation and settlement of disputes has been approved by the legislative authority of the municipality or county creating the center or, in the case of a center operated by a nonprofit corporation, by the legislative authority of the municipality or county within which the center will be located. A plan for a dispute resolution center shall not be approved and the center shall not begin operation until the legislative authority finds that the plan adequately prescribes:

(a) Procedures for filing requests for dispute resolution services with the center and for scheduling mediation sessions participated in by the parties to the dispute;

(b) Procedures to ensure that each dispute mediated by the center meets the criteria for appropriateness for mediation set by the legislative authority and for rejecting disputes which do not meet the criteria;

(c) Procedures for giving notice of the time, place, and nature of the mediation session to the parties, and for conducting mediation sessions that comply with the provisions of this chapter;

(d) Procedures which ensure that participation by all parties is voluntary;

(e) Procedures for obtaining referrals from public and private bodies;

(f) Procedures for meeting the particular needs of the participants, including, but not limited to, providing services at times convenient to the participants, in sign language, and in languages other than English;

(g) Procedures for providing trained and certified mediators who, during the dispute resolution process, shall make no decisions or determinations of the issues involved, but who shall facilitate negotiations by the participants themselves to achieve a voluntary resolution of the issues; and

(h) Procedures for informing and educating the community about the dispute resolution center and encouraging the use of the center's services in appropriate cases.

(3) A dispute resolution center established under this chapter annually shall provide to the administrator for the courts such data regarding its operation as the administrator requires. The administrator shall report annually beginning January 1, 1986, to the governor, the supreme court, and the legislature regarding the operation of centers established under this chapter.

NEW SECTION. Sec. 503. A dispute resolution center established under this chapter shall provide dispute resolution services either without charge to the participants or for a fee which is based on the participant's ability to pay.

NEW SECTION. Sec. 504. (1) In conducting a dispute resolution process, a center established under this chapter shall require:

(a) That the disputing parties enter into a written agreement which expresses the method by which they shall attempt to resolve the issues in dispute; and

(b) That at the conclusion of the dispute resolution process, the parties enter into a written agreement which sets forth the settlement of the issues and the future responsibilities, if any, of each party.

(2) A written agreement entered into with the assistance of a center at the conclusion of the written dispute resolution process is admissible as evidence in any judicial or administrative proceeding.

NEW SECTION. Sec. 505. All memoranda, work notes or products, or case files of centers established under this chapter are confidential and privileged and are not subject to disclosure in any judicial or administrative proceeding unless the

court or administrative tribunal determines that the materials were submitted by a participant to the center for the purpose of avoiding discovery of the material in a subsequent proceeding. Any communication relating to the subject matter of the resolution made during the resolution process by any participant, mediator, or any other person is a privileged communication and is not subject to disclosure in any judicial or administrative proceeding unless all parties to the communication waive the privilege. The foregoing privilege and limitation on evidentiary use does not apply to any communication of a threat that injury or damage may be inflicted on any person or on the property of a party to the dispute, to the extent the communication may be relevant evidence in a criminal matter.

NEW SECTION. Sec. 506. Any person who voluntarily enters a dispute resolution process at a center established under this chapter may revoke his or her consent, withdraw from dispute resolution, and seek judicial or administrative redress prior to reaching a written resolution agreement. The withdrawal shall be in writing. No legal penalty, sanction, or restraint may be imposed upon the person.

NEW SECTION. Sec. 507. A dispute resolution center established under this chapter may seek and accept contributions from counties and municipalities, agencies of the state and federal governments, private sources, and any other available funds, and may expend the funds to carry out the purposes of this chapter.

NEW SECTION. Sec. 508. Any applicable statute of limitations shall be tolled as to participants in dispute resolution at a center established under this chapter during the period which begins with the date of the participants' execution of the written agreement required by section 504(1)(a) of this act and ends on the date that a written agreement at the conclusion of the dispute resolution process is executed under section 504(1)(b) of this act or a participant's written notice of withdrawal from the dispute resolution process is executed under section 506 of this act.

NEW SECTION. Sec. 509. Nothing in this chapter precludes any person or persons not operating under section 502 of this act from providing dispute resolution services. However, the provisions of section 505 of this act, relating to confidentiality, and section 508 of this act, relating to statutes of limitation, apply only to proceedings conducted by a dispute resolution center established under this chapter.

NEW SECTION. Sec. 510. Sections 501 through 509 of this act shall constitute a new chapter in Title 7 RCW.

Sec. 511. Section 1, chapter 103, Laws of 1979 and RCW 7.06.010 are each amended to read as follows:

In counties of the second class and larger, the superior court of ((α)) the county, by majority vote of the judges thereof, or the county legislative authority may authorize mandatory arbitration of civil actions under this chapter. In all other counties, the superior court of the county, by a majority vote of the judges thereof, may authorize mandatory arbitration of civil actions under this chapter.

Sec. 512. Section 206, page 168, Laws of 1854 as amended by section 248, Code of 1881 and RCW 4.48.010 are each amended to read as follows:

The court shall order all or any of the issues in ((the)) a civil action, whether of fact or law, or both, ((may be)) referred to a referee upon the written consent of the parties((-but either)) which is filed with the clerk. Any party shall have the right in an action at law, upon an issue of fact, to demand a trial by jury. No referee appointed under this chapter may preside over a jury trial. The written consent of the parties constitutes a waiver of the right of trial by jury by any party having the right.

Sec. 513. Section 207, page 168, Laws of 1854 as last amended by section 249, Code of 1881 and RCW 4.48.020 are each amended to read as follows:

Where the parties do not consent, the court ((or judge)) may upon the application of either party, direct a reference in all cases formerly cognizable in chancery in which reference might be made:

(1) When the trial of an issue of fact shall require the examination of a long account on either side, in which case the referees may be directed to hear and decide the whole issue, or to report upon any specific question of fact involved therein; or,

(2) When the taking of an account shall be necessary for the information of the court, before judgment upon an issue of law, or for carrying a judgment or order into effect; or,

(3) When a question of fact other than upon the pleadings shall arise, upon motion or otherwise, in any stage of the action; or,

(4) When it is necessary for the information of the court in a special proceeding.

Sec. 514. Section 208, page 168, Laws of 1854 as last amended by section 250, Code of 1881 and RCW 4.48.030 are each amended to read as follows:

A reference may be ordered to any person or persons not exceeding three, agreed upon by the parties. If the ~~((parties do not agree))~~ reference is not agreed to by the parties, the court ~~((or judge))~~ may appoint one or more persons, not exceeding three.

Sec. 515. Section 209, page 169, Laws of 1854 as last amended by section 251, Code of 1881 and RCW 4.48.040 are each amended to read as follows:

~~((When the appointment of referees is made by the court or judge, each referee))~~ A person appointed by the court as a referee or who serves as a referee with the consent of the parties shall be:

- (1) Qualified as a juror as provided by statute.
- (2) Competent as juror between the parties.
- (3) A duly admitted and practicing attorney.

Sec. 516. Section 256, page 61, Laws of 1869 as last amended by section 252, Code of 1881 and RCW 4.48.050 are each amended to read as follows:

~~((When the))~~ If a referee(s are chosen) is appointed by the court, each party shall have the same right ((of) to challenge ((as to such referees, which)) the appointment. Challenges shall be made and determined in the same manner and with like effect as in the formation of juries, except that neither party shall be entitled to a peremptory challenge.

Sec. 517. Section 210, page 169, Laws of 1854 as last amended by section 253, Code of 1881 and RCW 4.48.060 are each amended to read as follows:

(1) Subject to the limitations and directions prescribed in the order of reference, the trial conducted by a referee(s) shall be conducted in the same manner as a trial by the court. ~~((They))~~ Unless waived in whole or in part, the referee shall apply the rules of pleading, practice, procedure, and evidence used in the superior courts of this state. The referee shall have the same power to grant adjournments, administer oaths, preserve order, punish all violations thereof upon such trial, compel the attendance of witnesses, and to punish them for nonattendance or refusal to be sworn or testify, as is possessed by the court.

(2) A referee appointed under RCW 4.48.010 shall provide clerical personnel necessary for the conduct of the proceeding, including a court reporter.

Sec. 518. Section 210, page 169, Laws of 1854 as last amended by section 254, Code of 1881 and RCW 4.48.070 are each amended to read as follows:

The report of ~~((the))~~ a referee(s) appointed by the court under RCW 4.48.020 shall state the facts found, and when the order of reference includes an issue of law, it shall state the conclusions of law separately from the facts. The referee(s) shall file with ~~((their))~~ the report the evidence received upon the trial. If evidence offered by either party shall not be admitted on the trial and the party offering the same excepts to the decision rejecting such evidence at the time, the exceptions shall be noted by the referees and they shall take and receive such testimony and file it with the report. Whatever judgment the court may give upon the report, it shall, when it appears that such evidence was frivolous and inadmissible, require the party at whose instance it was taken and reported, to pay all costs and disbursements thereby incurred.

Sec. 519. Section 259, page 62, Laws of 1869 as last amended by section 3, chapter 9, Laws of 1957 and RCW 4.48.080 are each amended to read as follows:

The report of a referee appointed by the court under RCW 4.48.020 shall be filed with the clerk within twenty days after the trial concludes. Either party may, within such time as may be prescribed by the rules of ~~((the))~~ court, or by special order, move to set the same aside, or for judgment thereon, or such order or proceeding as the nature of the case may require.

Sec. 520. Section 260, page 62, Laws of 1869 as last amended by section 256, Code of 1881 and RCW 4.48.090 are each amended to read as follows:

The court may affirm or set aside the report of a referee appointed under RCW 4.48.020 either in whole or in part. If it affirms the report it shall give judgment accordingly. If the report be set aside, either in whole or in part, the court may make another order of reference as to all or so much of the report as is set aside, to the original referees or others, or it may find the facts and determine the law itself and give judgment accordingly. Upon a motion to set aside a report, the conclusions thereof shall be deemed and considered as the verdict of the jury.

NEW SECTION. Sec. 521. There is added to chapter 4.48 RCW a new section to read as follows:

(1) Within twenty days after the conclusion of a trial before a referee appointed under RCW 4.48.010, unless a later time is agreed to by the parties, the referee shall mail to each party a copy of the referee's proposed written report. The proposed report shall contain the findings of fact and conclusions of law by the referee and the judgment of the referee.

(2) Within ten days after receipt of the copy of the proposed report, any party may serve written objections and suggested modifications or corrections to the proposed report on the referee and the other parties. The referee shall without delay consider the objections and suggestions and prepare a final written report. If requested by any party, the referee shall conduct a hearing on the proposed report and any suggested corrections or modifications before preparing the final written report.

(3) Upon completion of the final written report, the referee shall file with the clerk of the superior court:

- (a) Copies of all original papers in the action filed with the referee;
- (b) Exhibits offered and received or rejected during the trial;
- (c) The transcript of the proceedings in the trial; and
- (d) The final written report containing the findings of fact and conclusions of law by the referee and the judgment of the referee.

(4) The presiding judge of the superior court may allow the referee to file the final written report under subsection (3) of this section without any of the items listed in subsection (3) (a) through (c) of this section. However, the presiding judge shall require the referee to file those items if a timely notice of appeal of the judgment is filed.

(5) When the referee files the written report under subsection (3) of this section, the referee shall also mail to each party a copy of the report.

NEW SECTION. Sec. 522. There is added to chapter 4.48 RCW a new section to read as follows:

(1) Upon receipt by the clerk of the court of the final written report filed under section 521 of this act, the referral of the action shall terminate and the presiding judge of the superior court shall order the judgment contained in the report entered as the judgment of the court in the action. Subsequent motions and other post trial proceedings in the action may be conducted and disposed of by the referee upon order of the presiding judge, in the discretion of the presiding judge, or may otherwise be assigned by the presiding judge.

(2) The decision of a referee entered as provided in this section may be reviewed in the same manner as if the decision was made by the court.

NEW SECTION. Sec. 523. There is added to chapter 4.48 RCW a new section to read as follows:

(1) If an action is to be tried by a referee appointed under RCW 4.48.010, at least five days before the date set for the trial the referee shall advise the clerk of the court of the time and place set for the trial. The clerk shall post in a conspicuous place in the courthouse a notice that includes the names of the parties to the action, the time and place set for the trial, the name of the referee, and a statement that the proceeding is being held before a referee agreed to by the parties under chapter 4.48 RCW.

(2) A person interested in attending a trial before a referee appointed under RCW 4.84.010 is entitled to do so as in a trial of a civil action in superior court. Upon request by any person, the referee shall give the person notice of the time and place set for the trial.

Sec. 524. Section 376, page 202, Laws of 1854 as last amended by section 514, Code of 1881 and RCW 4.48.100 are each amended to read as follows:

(1) The ~~((fees))~~ compensation of a referee~~((s))~~ appointed under RCW 4.48.020 shall be ~~((five dollars to each, for every day necessarily spent in the business of the reference and twenty cents per folio for writing testimony; but the parties may agree in writing upon any rate of compensation, and thereupon such rate shall be allowed))~~ the same as that established for a superior court judge pro tempore under RCW 2.08.180.

(2) If a referee is appointed pursuant to RCW 4.48.010, the referee's compensation shall be at the rate prescribed by subsection (1) of this section, unless otherwise agreed to by the parties.

(3) Payment of the compensation of a referee appointed under RCW 4.48.010 and the expense of the trial before the referee shall be the obligation of the parties. The obligation shall be borne equally unless the parties agree to a different allocation.

NEW SECTION. Sec. 601. (1) There is created a commission on judicial administration to study Washington's courts and report its findings and recommendations to the legislature, the governor, and the supreme court in accordance with section 603 of this act.

(2) The chief justice of the supreme court shall chair the commission. The commission shall be composed of members appointed in accordance with this section.

(3) The following members shall be appointed by the chief justice from a list of nominees submitted by the appropriate organization:

(a) A county clerk from a list submitted by the Washington association of county clerks;

(b) A district or municipal court administrator from a list submitted by the Washington state association for court administration;

(c) A superior court administrator from a list submitted by the Washington association of superior court administrators;

(d) A judge of the court of appeals from lists submitted by the chief judge of each division of that court;

(e) A superior court judge from a list submitted by the association of superior court judges;

(f) A district judge and a municipal court judge from a list submitted by the Washington state magistrates association;

(g) A prosecuting attorney or deputy prosecuting attorney from a list submitted by the Washington association of prosecuting attorneys;

(h) Two attorneys, one of whom practices primarily as a criminal defense lawyer, from a list submitted by the Washington state bar association;

(i) A juvenile court director from a list submitted by the association of juvenile court directors;

(j) An elected member of a county legislative authority from a list submitted by the Washington state association of counties;

(k) An elected member of a municipal legislative authority from a list submitted by the Washington association of cities;

(l) A law enforcement officer from a list submitted by the Washington association of sheriffs and police chiefs; and

(m) A shorthand court reporter from a list submitted by the Washington shorthand reporters association.

(4) The chief justice shall appoint three persons to the commission who have demonstrated a significant interest in the administration of justice in this state and who are not affiliated with any of the organizations submitting nominees under subsection (3) of this section.

(5) The president of the senate shall appoint two members of the senate, one each from the majority and minority party, to the commission. The speaker of the house of representatives shall appoint two members of the house of representatives, one each from the majority and minority party, to the commission.

(6) Commission members shall serve without compensation. Commission members appointed under subsection (4) of this section shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Legislative members shall be reimbursed pursuant to RCW 44.04.120.

NEW SECTION. Sec. 602. The administrator for the courts shall provide technical and administrative assistance to the commission on judicial administration in the performance of its duties.

NEW SECTION. Sec. 603. (1) The commission on judicial administration shall evaluate the existing structure of Washington's judicial system, the jurisdiction of each level of courts, and the existing means of administering and financing the state's courts and related court services, including probation, family court, court reporting, and juvenile court services.

(2) The commission shall report its findings and any recommendations for improvements in the structure, administration, and funding of the state's court system, including changes in court rule, statute, or the state Constitution, to the legislature, the governor, and the supreme court. The commission shall provide the legislature, the governor, and the supreme court with an interim report on its activities on January 1, 1985. The commission shall issue its final report by October 1, 1985, and the commission shall terminate on July 1, 1986.

NEW SECTION. Sec. 604. There is added to chapter 2.56 RCW a new section to read as follows:

(1) The office of the administrator for the courts, in cooperation with appropriate legislative committees and legislative staff, shall establish a procedure for the provision of judicial impact notes on the effect legislative bills will have on the workload and administration of the courts of this state. The administrator for the courts and the office of financial management shall coordinate the development of judicial impact notes with the preparation of fiscal notes under chapters 43.88A and 43.132 RCW.

(2) The administrator for the courts shall provide a judicial impact note on any legislative proposal at the request of any legislator. The note shall be provided to the requesting legislator and copies filed with the appropriate legislative committees in accordance with subsection (3) of this section when the proposed legislation is introduced in either house.

(3) When a judicial impact note is prepared and approved by the administrator for the courts, copies of the note shall be filed with:

(a) The chairperson of the committee to which the bill was referred upon introduction in the house of origin;

(b) The senate committee on ways and means;

(c) The house of representatives committee on ways and means;

(d) The senate judiciary committee;

(e) The house of representatives judiciary committee;

(f) The legislative budget committee; and

(g) The office of financial management.

(4) This section shall not prevent either house of the legislature from acting on any bill before it as otherwise provided by the state Constitution, by law, and by the rules and joint rules of the senate and house of representatives, nor shall the lack of any judicial impact note as provided in this section or any error in the accuracy thereof affect the validity of any measure otherwise duly passed by the legislature.

Sec. 701. Section 121, chapter 299, Laws of 1961 and RCW 3.66.100 are each amended to read as follows:

(1) Every (~~justice~~) district judge having authority to hear a particular case may issue (~~civil process in and to any place in the county or counties in which his district is located, and~~) criminal process in and to any place in the state.

(2) Notwithstanding any provision in the justice court civil rules to the contrary, every district judge having authority to hear a particular case may issue civil process in and to any place in the state.

NEW SECTION. Sec. 702. There is added to chapter 12.16 RCW a new section to read as follows:

Any person may be compelled to attend as a witness before a district court in accordance with chapter 5.56 RCW.

NEW SECTION. Sec. 703. The following acts or parts of acts are each repealed:

(1) Section 57, page 233, Laws of 1854, section 168, page 370, Laws of 1873, section 1869, Code of 1881 and RCW 12.16.010;

(2) Section 66, page 234, Laws of 1854, section 177, page 371, Laws of 1873, section 1878, Code of 1881 and RCW 12.16.100;

(3) Section 67, page 234, Laws of 1854, section 178, page 371, Laws of 1873, section 1879, Code of 1881 and RCW 12.16.110; and

(4) Section 68, page 234, Laws of 1854, section 179, page 372, Laws of 1873, section 1880, Code of 1881 and RCW 12.16.120.

Sec. 801. Section 35.20.030, chapter 7, Laws of 1965 as amended by section 23, chapter 136, Laws of 1979 ex. sess. and RCW 35.20.030 are each amended to read as follows:

The municipal court shall have ~~((exclusive original))~~ jurisdiction to try violations of all city ordinances and all other actions brought to enforce or recover license penalties or forfeitures declared or given by any such ordinances. It is empowered to forfeit cash bail or bail bonds and issue execution thereon, to hear and determine all causes, civil or criminal, arising under such ordinances, and to pronounce judgment in accordance therewith: PROVIDED, That for a violation of the criminal provisions of an ordinance no greater punishment shall be imposed than a fine of five ~~((hundred))~~ thousand dollars or imprisonment in the city jail not to exceed ~~((six months))~~ one year, or both such fine and imprisonment. All civil and criminal proceedings in municipal court, and judgments rendered therein, shall be subject to review in the superior court by writ of review or on appeal: PROVIDED, That an appeal from the court's determination or order in a traffic infraction proceeding may be taken only in accordance with RCW 46.63.090(5). Costs in civil and criminal cases may be taxed as provided in ~~((justice of the peace))~~ district courts.

Sec. 802. Section 35.22.280, chapter 7, Laws of 1965 as last amended by section 20, chapter 316, Laws of 1977 ex. sess. and RCW 35.22.280 are each amended to read as follows:

Any city of the first class shall have power:

(1) To provide for general and special elections, for questions to be voted upon, and for the election of officers;

(2) To provide for levying and collecting taxes on real and personal property for its corporate uses and purposes, and to provide for the payment of the debts and expenses of the corporation;

(3) To control the finances and property of the corporation, and to acquire, by purchase or otherwise, such lands and other property as may be necessary for any part of the corporate uses provided for by its charter, and to dispose of any such property as the interests of the corporation may, from time to time, require;

(4) To borrow money for corporate purposes on the credit of the corporation, and to issue negotiable bonds therefor, on such conditions and in such manner as shall be prescribed in its charter; but no city shall, in any manner or for any purpose, become indebted to an amount in the aggregate to exceed the limitation of indebtedness prescribed by chapter 39.36 RCW as now or hereafter amended;

(5) To issue bonds in place of or to supply means to meet maturing bonds or other indebtedness, or for the consolidation or funding of the same;

(6) To purchase or appropriate private property within or without its corporate limits, for its corporate uses, upon making just compensation to the owners thereof, and to institute and maintain such proceedings as may be authorized by the general laws of the state for the appropriation of private property for public use;

(7) To lay out, establish, open, alter, widen, extend, grade, pave, plank, establish grades, or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks, and other public grounds, and to regulate and control the use thereof, and to vacate the same, and to authorize or prohibit the use of electricity at, in, or upon any of said streets, or for other purposes, and to prescribe the terms and conditions upon which the same may be so used, and to regulate the use thereof;

(8) To change the grade of any street, highway, or alley within its corporate limits, and to provide for the payment of damages to any abutting owner or owners who shall have built or made other improvements upon such street, highway, or alley at any point opposite to the point where such change shall be made with reference to the grade of such street, highway, or alley as the same existed prior to such change;

(9) To authorize or prohibit the locating and constructing of any railroad or street railroad in any street, alley, or public place in such city, and to prescribe the

terms and conditions upon which any such railroad or street railroad shall be located or constructed; to provide for the alteration, change of grade, or removal thereof; to regulate the moving and operation of railroad and street railroad trains, cars, and locomotives within the corporate limits of said city; and to provide by ordinance for the protection of all persons and property against injury in the use of such railroads or street railroads:

(10) To provide for making local improvements, and to levy and collect special assessments on property benefited thereby, and for paying for the same or any portion thereof;

(11) To acquire, by purchase or otherwise, lands for public parks within or without the limits of such city, and to improve the same. When the language of any instrument by which any property is so acquired limits the use of said property to park purposes and contains a reservation of interest in favor of the grantor or any other person, and where it is found that the property so acquired is not needed for park purposes and that an exchange thereof for other property to be dedicated for park purposes is in the public interest, the city may, with the consent of the grantor or such other person, his heirs, successors, or assigns, exchange such property for other property to be dedicated for park purposes, and may make, execute, and deliver proper conveyances to effect the exchange. In any case where, owing to death or lapse of time, there is neither donor, heir, successor, or assignee to give consent, this consent may be executed by the city and filed for record with an affidavit setting forth all efforts made to locate people entitled to give such consent together with the facts which establish that no consent by such persons is attainable. Title to property so conveyed by the city shall vest in the grantee free and clear of any trust in favor of the public arising out of any prior dedication for park purposes, but the right of the public shall be transferred and preserved with like force and effect to the property received by the city in such exchange;

(12) To construct and keep in repair bridges, viaducts, and tunnels, and to regulate the use thereof;

(13) To determine what work shall be done or improvements made at the expense, in whole or in part, of the owners of the adjoining contiguous, or proximate property, or others specially benefited thereby; and to provide for the manner of making and collecting assessments therefor;

(14) To provide for erecting, purchasing, or otherwise acquiring waterworks, within or without the corporate limits of said city, to supply said city and its inhabitants with water, or authorize the construction of same by others when deemed for the best interests of such city and its inhabitants, and to regulate and control the use and price of the water so supplied;

(15) To provide for lighting the streets and all public places, and for furnishing the inhabitants thereof with gas or other lights, and to erect, or otherwise acquire, and to maintain the same, or to authorize the erection and maintenance of such works as may be necessary and convenient therefor, and to regulate and control the use thereof;

(16) To establish and regulate markets, and to provide for the weighing, measuring, and inspection of all articles of food and drink offered for sale thereat, or at any other place within its limits, by proper penalties, and to enforce the keeping of proper legal weights and measures by all vendors in such city, and to provide for the inspection thereof;

(17) To erect and establish hospitals and pesthouses, and to control and regulate the same;

(18) To provide for establishing and maintaining reform schools for juvenile offenders;

(19) To provide for the establishment and maintenance of public libraries, and to appropriate, annually, such percent of all moneys collected for fines, penalties, and licenses as shall be prescribed by its charter, for the support of a city library, which shall, under such regulations as shall be prescribed by ordinance, be open for use by the public;

(20) To regulate the burial of the dead, and to establish and regulate cemeteries within or without the corporate limits, and to acquire land therefor by purchase or otherwise; to cause cemeteries to be removed beyond the limits of the corporation, and to prohibit their establishment within two miles of the boundaries thereof;

(21) To direct the location and construction of all buildings in which any trade or occupation offensive to the senses or deleterious to public health or safety shall be carried on, and to regulate the management thereof; and to prohibit the erection or maintenance of such buildings or structures, or the carrying on of such trade or occupation within the limits of such corporation, or within the distance of two miles beyond the boundaries thereof;

(22) To provide for the prevention and extinguishment of fires and to regulate or prohibit the transportation, keeping, or storage of all combustible or explosive materials within its corporate limits, and to regulate and restrain the use of fireworks;

(23) To establish fire limits and to make all such regulations for the erection and maintenance of buildings or other structures within its corporate limits as the safety of persons or property may require, and to cause all such buildings and places as may from any cause be in a dangerous state to be put in safe condition;

(24) To regulate the manner in which stone, brick, and other buildings, party walls, and partition fences shall be constructed and maintained;

(25) To deepen, widen, dock, cover, wall, alter, or change the channels of waterways and courses, and to provide for the construction and maintenance of all such works as may be required for the accommodation of commerce, including canals, slips, public landing places, wharves, docks, and levees, and to control and regulate the use thereof;

(26) To control, regulate, or prohibit the anchorage, moorage, and landing of all watercrafts and their cargoes within the jurisdiction of the corporation;

(27) To fix the rates of whartage and dockage, and to provide for the collection thereof, and to provide for the imposition and collection of such harbor fees as may be consistent with the laws of the United States;

(28) To license, regulate, control, or restrain wharf boats, tugs, and other boats used about the harbor or within such jurisdiction;

(29) To require the owners of public halls or other buildings to provide suitable means of exit; to provide for the prevention and abatement of nuisances, for the cleaning and purification of watercourses and canals, for the drainage and filling up of ponds on private property within its limits, when the same shall be offensive to the senses or dangerous to health; to regulate and control, and to prevent and punish, the defilement or pollution of all streams running through or into its corporate limits, and for the distance of five miles beyond its corporate limits, and on any stream or lake from which the water supply of said city is taken, for a distance of five miles beyond its source of supply; to provide for the cleaning of areas, vaults, and other places within its corporate limits which may be so kept as to become offensive to the senses or dangerous to health, and to make all such quarantine or other regulations as may be necessary for the preservation of the public health, and to remove all persons afflicted with any infectious or contagious disease to some suitable place to be provided for that purpose;

(30) To declare what shall be a nuisance, and to abate the same, and to impose fines upon parties who may create, continue, or suffer nuisances to exist;

(31) To regulate the selling or giving away of intoxicating, malt, vinous, mixed, or fermented liquors as authorized by the general laws of the state: PROVIDED, That no license shall be granted to any person or persons who shall not first comply with the general laws of the state in force at the time the same is granted;

(32) To grant licenses for any lawful purpose, and to fix by ordinance the amount to be paid therefor, and to provide for revoking the same: PROVIDED, That no license shall be granted to continue for longer than one year from the date thereof;

(33) To regulate the carrying on within its corporate limits of all occupations which are of such a nature as to affect the public health or the good order of said city, or to disturb the public peace, and which are not prohibited by law, and to provide for the punishment of all persons violating such regulations, and of all persons who knowingly permit the same to be violated in any building or upon any premises owned or controlled by them;

(34) To restrain and provide for the punishment of vagrants, mendicants, prostitutes, and other disorderly persons;

(35) To provide for the punishment of all disorderly conduct, and of all practices dangerous to public health or safety, and to make all regulations necessary for the preservation of public morality, health, peace, and good order within its limits, and to provide for the arrest, trial, and punishment of all persons charged with violating any of the ordinances of said city. The punishment shall not exceed a fine of five ~~((hundred))~~ thousand dollars or imprisonment in the city jail for ~~((six months))~~ one year, or both such fine and imprisonment;

(36) To project or extend its streets over and across any tidelands within its corporate limits, and along or across the harbor areas of such city, in such manner as will best promote the interests of commerce;

(37) To provide in their respective charters for a method to propose and adopt amendments thereto.

Sec. 803. Section 35.23.440, chapter 7, Laws of 1965 as last amended by section 28, chapter 136, Laws of 1979 ex. sess. and RCW 35.23.440 are each amended to read as follows:

The city council of each second class city shall have power and authority:

(1) Ordinances: To make and pass all ordinances, orders, and resolutions not repugnant to the Constitution of the United States or the state of Washington, or the provisions of this title, necessary for the municipal government and management of the affairs of the city, for the execution of the powers vested in said body corporate, and for the carrying into effect of the provisions of this title.

(2) License of shows: To fix and collect a license tax, for the purposes of revenue and regulation, on theatres, melodeons, balls, concerts, dances, theatrical, circus, or other performances, and all performances where an admission fee is charged, or which may be held in any house or place where wines or liquors are sold to the participators; also all shows, billiard tables, pool tables, bowling alleys, exhibitions, or amusements.

(3) Hotels, etc., licenses: To fix and collect a license tax for the purposes of revenue and regulation on and to regulate all taverns, hotels, restaurants, banks, brokers, manufactories, livery stables, express companies and persons engaged in transmitting letters or packages, railroad, stage, and steamboat companies or owners, whose principal place of business is in such city, or who have an agency therein.

(4) Auctioneers' licenses: To license and regulate auctioneers for the purposes of revenue and regulation.

(5) Peddlers', etc., licenses: To license, for the purposes of revenue and regulation, tax, prohibit, suppress, and regulate all raffles, hawkers, peddlers, pawnbrokers, refreshment or coffee stands, booths, or sheds; and to regulate as authorized by state law all tipling houses, dram shops, saloons, bars, and barrooms.

(6) Dance houses: To prohibit or suppress, or to license and regulate all dance houses, fandango houses, or any exhibition or show of any animal or animals.

(7) License vehicles: To license for the purposes of revenue and regulation, and to tax hackney coaches, cabs, omnibuses, drays, market wagons, and all other vehicles used for hire, and to regulate their stands, and to fix the rates to be charged for the transportation of persons, baggage, and property.

(8) Hotel runners: To license or suppress runners for steamboats, taverns, or hotels.

(9) License generally: To fix and collect a license tax for the purposes of revenue and regulation, upon all occupations and trades, and all and every kind of business authorized by law not heretofore specified: PROVIDED, That on any business, trade, or calling not provided by law to be licensed for state and county purposes, the amount of license shall be fixed at the discretion of the city council, as they may deem the interests and good order of the city may require.

(10) Riots: To prevent and restrain any riot or riotous assemblages, disturbance of the peace, or disorderly conduct in any place, house, or street in the city.

(11) Nuisances: To declare what shall be deemed nuisances; to prevent, remove, and abate nuisances at the expense of the parties creating, causing, or committing or maintaining the same, and to levy a special assessment on the land or premises whereon the nuisance is situated to defray the cost or to reimburse the city for the cost of abating the same.

(12) Stock pound: To establish, maintain, and regulate a common pound for estrays, and to appoint a poundkeeper, who shall be paid out of the fines and fees imposed and collected of the owners of any animals impounded, and from no other source; to prevent and regulate the running at large of any and all domestic animals within the city limits or any parts thereof, and to regulate or prevent the keeping of such animals within any part of the city.

(13) Control of certain trades: To control and regulate slaughterhouses, wash-houses, laundries, tanneries, forges, and offensive trades, and to provide for their exclusion or removal from the city limits, or from any part thereof.

(14) Street cleaning: To provide, by regulation, for the prevention and summary removal of all filth and garbage in streets, sloughs, alleys, back yards, or public grounds of such city, or elsewhere therein.

(15) Gambling, etc.: To prohibit and suppress all gaming and all gambling or disorderly houses, and houses of ill fame, and all immoral and indecent amusements, exhibitions, and shows.

(16) Markets: To establish and regulate markets and market places.

(17) Speed of railroad cars: To fix and regulate the speed at which any railroad cars, streetcars, automobiles, or other vehicles may run within the city limits, or any portion thereof.

(18) City commons: To provide for and regulate the commons of the city.

(19) Fast driving: To regulate or prohibit fast driving or riding in any portion of the city.

(20) Combustibles: To regulate or prohibit the loading or storage of gunpowder and combustible or explosive materials in the city, or transporting the same through its streets or over its waters.

(21) Property: To have, purchase, hold, use, and enjoy property of every name or kind whatsoever, and to sell, lease, transfer, mortgage, convey, control, or improve the same; to build, erect, or construct houses, buildings, or structures of any kind needful for the use or purposes of such city.

(22) Fire department: To establish, continue, regulate, and maintain a fire department for such city, to change or reorganize the same, and to disband any company or companies of the said department; also, to discontinue and disband said fire department, and to create, organize, establish, and maintain a paid fire department for such city.

(23) Water supply: To adopt, enter into, and carry out means for securing a supply of water for the use of such city or its inhabitants, or for irrigation purposes therein.

(24) Overflow of water: To prevent the overflow of the city or to secure its drainage, and to assess the cost thereof to the property benefited.

(25) House numbers: To provide for the numbering of houses.

(26) Health board: To establish a board of health; to prevent the introduction and spread of disease; to establish a city infirmary and to provide for the indigent sick; and to provide and enforce regulations for the protection of health, cleanliness, peace, and good order of the city; to establish and maintain hospitals within or without the city limits; to control and regulate interments and to prohibit them within the city limits.

(27) Harbors and wharves: To build, alter, improve, keep in repair, and control the waterfront; to erect, regulate, and repair wharves, and to fix the rate of wharfage and transit of wharf, and levy dues upon vessels and commodities; and to provide for the regulation of berths, landing, stationing, and removing steamboats, sail vessels, rafts, barges, and all other watercraft; to fix the rate of speed at which steamboats and other steam watercraft may run along the waterfront of the city; to build bridges so as not to interfere with navigation; to provide for the removal of obstructions to the navigation of any channel or watercourses or channels.

(28) License of steamers: To license steamers, boats, and vessels used in any watercourse in the city, and to fix and collect a license tax thereon.

(29) Ferry licenses: To license ferries and toll bridges under the law regulating the granting of such license.

(30) Penalty for violation of ordinances: To determine and impose fines for forfeitures and penalties that shall be incurred for the breach or violation of any city

ordinance, notwithstanding that the act constituting a violation of any such ordinance may also be punishable under the state laws, and also for a violation of the provisions of this chapter, when no penalty is affixed thereto or provided by law, and to appropriate all such fines, penalties, and forfeitures for the benefit of the city; but no penalty to be enforced shall exceed for any offense the amount of five (~~hundred~~) thousand dollars or (~~six months~~) imprisonment for one year, or both; and every violation of any lawful order, regulation, or ordinance of the city council of such city is hereby declared a misdemeanor or public offense, and all prosecutions for the same may be in the name of the state of Washington: PROVIDED, That violation of an order, regulation, or ordinance relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of an order, regulation, or ordinance equivalent to those provisions of Title 46 RCW set forth in RCW 46.63.020 remains a misdemeanor.

(31) Police department: To create and establish a city police; to prescribe their duties and their compensation; and to provide for the regulation and government of the same.

(32) Elections: To provide for conducting elections and establishing election precincts when necessary, to be as near as may be in conformity with the state law.

(33) Examine official accounts: To examine, either in open session or by committee, the accounts or doings of all officers or other persons having the care, management, or disposition of moneys, property, or business of the city.

(34) Contracts: To make all appropriations, contracts, or agreements for the use or benefit of the city and in the city's name.

(35) Streets and sidewalks: To provide by ordinance for the opening, laying out, altering, extending, repairing, grading, paving, planking, graveling, macadamizing, or otherwise improving of public streets, avenues, and other public ways, or any portion of any thereof; and for the construction, regulation, and repair of sidewalks and other street improvements, all at the expense of the property to be benefited thereby, without any recourse, in any event, upon the city for any portion of the expense of such work, or any delinquency of the property holders or owners, and to provide for the forced sale thereof for such purposes; to establish a uniform grade for streets, avenues, sidewalks, and squares, and to enforce the observance thereof.

(36) Waterways: To clear, cleanse, alter, straighten, widen, fill up, or close any waterway, drain, or sewer, or any watercourse in such city when not declared by law to be navigable, and to assess the expense thereof, in whole or in part, to the property specially benefited.

(37) Sewerage: To adopt, provide for, establish, and maintain a general system of sewerage, draining, or both, and the regulation thereof; to provide funds by local assessments on the property benefited for the purpose aforesaid and to determine the manner, terms, and place of connection with main or central lines of pipes, sewers, or drains established, and compel compliance with and conformity to such general system of sewerage or drainage, or both, and the regulations of said council thereto relating, by the infliction of suitable penalties and forfeitures against persons and property, or either, for nonconformity to, or failure to comply with the provisions of such system and regulations or either.

(38) Buildings and parks: To provide for all public buildings, public parks, or squares, necessary or proper for the use of the city.

(39) Franchises: To permit the use of the streets for railroad or other public service purposes.

(40) Payment of judgments: To order paid any final judgment against such city, but none of its lands or property of any kind or nature, taxes, revenue, franchise, or rights, or interest, shall be attached, levied upon, or sold in or under any process whatsoever.

(41) Weighing of fuel: To regulate the sale of coal and wood in such city, and may appoint a measurer of wood and weigher of coal for the city, and define his duties, and may prescribe his term of office, and the fees he shall receive for his services: PROVIDED, That such fees shall in all cases be paid by the parties requiring such service.

(42) Hospitals, etc.: To erect and establish hospitals and pesthouses and to control and regulate the same.

(43) Waterworks: To provide for the erection, purchase, or otherwise acquiring of waterworks within or without the corporate limits of the city to supply such city and its inhabitants with water, and to regulate and control the use and price of the water so supplied.

(44) City lights: To provide for lighting the streets and all public places of the city and for furnishing the inhabitants of the city with gas, electric, or other light, and for the ownership, purchase or acquisition, construction, or maintenance of such works as may be necessary or convenient therefor: PROVIDED, That no purchase of any such water plant or light plant shall be made without first submitting the question of such purchase to the electors of the city.

(45) Parks: To acquire by purchase or otherwise land for public parks, within or without the limits of the city, and to improve the same.

(46) Bridges: To construct and keep in repair bridges, and to regulate the use thereof.

(47) Power of eminent domain: In the name of and for the use and benefit of the city, to exercise the right of eminent domain, and to condemn lands and property for the purposes of streets, alleys, parks, public grounds, waterworks, or for any other municipal purpose and to acquire by purchase or otherwise such lands and property as may be deemed necessary for any of the corporate uses provided for by this title, as the interests of the city may from time to time require.

(48) To provide for the assessment of taxes: To provide for the assessment, levying, and collecting of taxes on real and personal property for the corporate uses and purposes of the city and to provide for the payment of the debts and expenses of the corporation.

(49) Local improvements: To provide for making local improvements, and to levy and collect special assessments on the property benefited thereby and for paying the same or any portion thereof; to determine what work shall be done or improvements made, at the expense, in whole or in part, of the adjoining, contiguous, or proximate property, and to provide for the manner of making and collecting assessments therefor.

(50) Cemeteries: To regulate the burial of the dead and to establish and regulate cemeteries, within or without the corporate limits, and to acquire lands therefor by purchase or otherwise.

(51) Fire limits: To establish fire limits with proper regulations and to make all needful regulations for the erection and maintenance of buildings or other structures within the corporate limits as safety of persons or property may require, and to cause all such buildings and places as may from any cause be in a dangerous state to be put in a safe condition; to regulate the manner in which stone, brick, and other buildings, party walls, and partition fences shall be constructed and maintained.

(52) Safety and sanitary measures: To require the owners of public halls, theaters, hotels, and other buildings to provide suitable means of exit and proper fire escapes; to provide for the cleaning and purification of watercourses and canals and for the draining and filling up of ponds on private property within its limits when the same shall be offensive to the senses or dangerous to the health, and to charge the expense thereof to the property specially benefited, and to regulate and control and provide for the prevention and punishment of the defilement or pollution of all streams running in or through its corporate limits and a distance of five miles beyond its corporate limits, and of any stream or lake from which the water supply of the city is or may be taken and for a distance of five miles beyond its source of supply, and to make all quarantine and other regulations as may be necessary for the preservation of the public health and to remove all persons afflicted with any contagious disease to some suitable place to be provided for that purpose.

(53) To regulate liquor traffic: To regulate the selling or giving away of intoxicating, spirituous, malt, vinous, mixed, or fermented liquors as authorized by the general laws of the state.

(54) To establish streets on tidelands: To project or extend or establish streets over and across any tidelands within the limits of such city.

(55) To provide for the general welfare.

Sec. 804. Section 35.24.290, chapter 7, Laws of 1965 as last amended by section 23, chapter 316, Laws of 1977 ex. sess. and RCW 35.24.290 are each amended to read as follows:

The city council of each third class city shall have power:

(1) To pass ordinances not in conflict with the Constitution and laws of this state or of the United States;

(2) To prevent and regulate the running at large of any or all domestic animals within the city limits or any part thereof and to cause the impounding and sale of any such animals;

(3) To establish, build and repair bridges, to establish, lay out, alter, keep open, open, widen, vacate, improve and repair streets, sidewalks, alleys, squares and other public highways and places within the city, and to drain, sprinkle and light the same; to remove all obstructions therefrom; to establish and reestablish the grades thereof; to grade, plank, pave, macadamize, gravel and curb the same, in whole or in part; to construct gutters, culverts, sidewalks and crosswalks therein or upon any part thereof; to cultivate and maintain parking strips therein, and generally to manage and control all such highways and places; to provide by local assessment for the leveling up and surfacing and oiling or otherwise treating for the laying of dust, all streets within the city limits;

(4) To establish, construct and maintain drains and sewers, and shall have power to compel all property owners on streets and alleys or within two hundred feet thereof along which sewers shall have been constructed to make proper connections therewith and to use the same for proper purposes, and in case the owners of the property on such streets and alleys or within two hundred feet thereof fail to make such connections within the time fixed by such council, it may cause such connections to be made and assess against the property served thereby the costs and expenses thereof;

(5) To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishment of fires;

(6) To impose and collect an annual license on every dog within the limits of the city, to prohibit dogs running at large and to provide for the killing of all dogs not duly licensed found at large;

(7) To license, for the purposes of regulation and revenue, all and every kind of business authorized by law, and transacted and carried on in such city, and all shows, exhibitions and lawful games carried on therein and within one mile of the corporate limits thereof, to fix the rate of license tax upon the same, and to provide for the collection of the same by suit or otherwise;

(8) To improve rivers and streams flowing through such city, or adjoining the same; to widen, straighten and deepen the channel thereof, and remove obstructions therefrom; to improve the water-front of the city, and to construct and maintain embankments and other works to protect such city from overflow; to prevent the filling of the water of any bay, except such filling over tide or shorelands as may be provided for by order of the city council; to purify and prevent the pollution of streams of water, lakes or other sources of supply, and for this purpose shall have jurisdiction over all streams, lakes or other sources of supply, both within and without the city limits. Such city shall have power to provide by ordinance and to enforce such punishment or penalty as the city council may deem proper for the offense of polluting or in any manner obstructing or interfering with the water supply of such city or source thereof;

(9) To erect and maintain buildings for municipal purposes;

(10) To permit, under such restrictions as it may deem proper, and to grant franchises for, the laying of railroad tracks, and the running of cars propelled by electric, steam or other power thereon, and the laying of gas and water pipes and steam mains and conduits for underground wires, and to permit the construction of tunnels or subways in the public streets, and to construct and maintain and to permit the construction and maintenance of telegraph, telephone and electric lines therein;

(11) In its discretion to divide the city by ordinance, into a convenient number of wards, not exceeding six, to fix the boundaries thereof, and to change the same from time to time: PROVIDED, That no change in the boundaries of any ward shall

be made within sixty days next before the date of a general municipal election, nor within twenty months after the wards have been established or altered. Whenever such city is so divided into wards, the city council shall designate by ordinance the number of councilmen to be elected from each ward, apportioning the same in proportion to the population of the wards. Thereafter the councilmen so designated shall be elected by the qualified electors resident in such ward, or by general vote of the whole city as may be designated in such ordinance. When additional territory is added to the city it may by act of the council, be annexed to contiguous wards without affecting the right to redistrict at the expiration of twenty months after last previous division. The removal of a councilman from the ward for which he was elected shall create a vacancy in such office:

(12) To impose fines, penalties and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance to fix the penalty by fine or imprisonment, or both, but no such fine shall exceed five (~~hundred~~) thousand dollars nor the term of such imprisonment exceed the term of (~~six months~~) one year;

(13) To establish fire limits, with proper regulations;

(14) To establish and maintain a free public library;

(15) To establish and regulate public markets and market places;

(16) To punish the keepers and inmates and lessors of houses of ill fame, gamblers and keepers of gambling tables, patrons thereof or those found loitering about such houses and places;

(17) To make all such ordinances, bylaws, rules, regulations and resolutions, not inconsistent with the Constitution and laws of the state of Washington, as may be deemed expedient to maintain the peace, good government and welfare of the corporation and its trade, commerce and manufactures, and to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter, and to enact and enforce within the limits of such city all other local, police, sanitary and other regulations as do not conflict with general laws;

(18) To license steamers, boats and vessels used in any bay or other water-course in the city and to fix and collect such license; to provide for the regulation of berths, landings, and stations, and for the removing of steamboats, sail boats, sail vessels, rafts, barges and other watercraft; to provide for the removal of obstructions to navigation and of structures dangerous to navigation or to other property, in or adjoining the waterfront, except in municipalities in counties in which there is a city of the first class.

Sec. 805. Section 35.27.370, chapter 7, Laws of 1965 as last amended by section 25, chapter 316, Laws of 1977 ex. sess. and RCW 35.27.370 are each amended to read as follows:

The council of said town shall have power:

(1) To pass ordinances not in conflict with the Constitution and laws of this state, or of the United States;

(2) To purchase, lease or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to control, dispose of and convey the same for the benefit of the town; to acquire, own, and hold real estate for cemetery purposes either within or without the corporate limits, to sell and dispose of such real estate, to plat or replat such real estate into cemetery lots and to sell and dispose of any and all lots therein, and to operate, improve and maintain the same as a cemetery;

(3) To contract for supplying the town with water for municipal purposes, or to acquire, construct, repair and manage pumps, aqueducts, reservoirs, or other works necessary or proper for supplying water for use of such town or its inhabitants, or for irrigating purposes therein;

(4) To establish, build and repair bridges, to establish, lay out, alter, widen, extend, keep open, improve, and repair streets, sidewalks, alleys, squares and other public highways and places within the town, and to drain, sprinkle and light the same; to remove all obstructions therefrom; to establish the grades thereof; to grade, pave, plank, macadamize, gravel and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks and crosswalks therein, or on any part thereof; to cause to be planted, set out and cultivated trees therein, and generally to manage and control all such highways and places;

(5) To establish, construct and maintain drains and sewers, and shall have power to compel all property owners on streets along which sewers are constructed to make proper connections therewith, and to use the same for proper purposes when such property is improved by the erection thereon of a building or buildings; and in case the owners of such improved property on such streets shall fail to make such connections within the time fixed by such council, they may cause such connections to be made, and to assess against the property in front of which such connections are made the costs and expenses thereof;

(6) To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishment of fires;

(7) To impose and collect an annual license on every dog within the limits of the town, to prohibit dogs running at large, and to provide for the killing of all dogs found at large and not duly licensed;

(8) To levy and collect annually a property tax, for the payment of current expenses and for the payment of indebtedness (if any indebtedness exists) within the limits authorized by law;

(9) To license, for purposes of regulation and revenue, all and every kind of business, authorized by law and transacted and carried on in such town; and all shows, exhibitions and lawful games carried on therein and within one mile of the corporate limits thereof; to fix the rate of license tax upon the same, and to provide for the collection of the same, by suit or otherwise; to regulate, restrain, or prohibit the running at large of any and all domestic animals within the city limits, or any part or parts thereof, and to regulate the keeping of such animals within any part of the city; to establish, maintain and regulate a common pound for strays, and to appoint a poundkeeper, who shall be paid out of the fines and fees imposed on, and collected from, the owners of any impounded stock;

(10) To improve the rivers and streams flowing through such town or adjoining the same; to widen, straighten and deepen the channels thereof, and to remove obstructions therefrom; to prevent the pollution of streams or water running through such town, and for this purpose shall have jurisdiction for two miles in either direction; to improve the waterfront of the town, and to construct and maintain embankments and other works to protect such town from overflow;

(11) To erect and maintain buildings for municipal purposes;

(12) To grant franchises or permits to use and occupy the surface, the overhead and the underground of streets, alleys and other public ways, under such terms and conditions as it shall deem fit, for any and all purposes, including but not being limited to the construction, maintenance and operation of railroads, street railways, transportation systems, water, gas and steam systems, telephone and telegraph systems, electric lines, signal systems, surface, aerial and underground tramways;

(13) To punish the keepers and inmates and lessors of houses of ill fame, and keepers and lessors of gambling houses and rooms and other places where gambling is carried on or permitted, gamblers and keepers of gambling tables;

(14) To impose fines, penalties and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance, to fix the penalty by fine or imprisonment, or both; but no such fine shall exceed five (~~hundred~~) thousand dollars, nor the term of imprisonment exceed (~~six months~~) one year;

(15) To operate ambulance service which may serve the town and surrounding rural areas and, in the discretion of the council, to make a charge for such service;

(16) To make all such ordinances, bylaws, rules, regulations and resolutions not inconsistent with the Constitution and laws of the state of Washington, as may be deemed expedient to maintain the peace, good government and welfare of the town and its trade, commerce and manufacturers, and to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter.

Sec. 806. Section 35.30.010, chapter 7, Laws of 1965 and RCW 35.30.010 are each amended to read as follows:

The council, or other legislative body, of all cities within the state of Washington which were created by special charter prior to the adoption of the state Constitution, and which have not since reincorporated under any general

statute, shall have, in addition to the powers specially granted by the charter of such cities, the following powers:

- (1) To construct, establish and maintain drains and sewers.
- (2) To impose and collect an annual license not exceeding two dollars on every dog owned or harbored within the limits of the city.
- (3) To levy and collect annually a property tax on all property within such city.
- (4) To license all shows, exhibitions and lawful games carried on therein; and to fix the rates of license tax upon the same, and to provide for the collection of the same by suit or otherwise.
- (5) To permit, under such restrictions as they may deem proper, the construction and maintenance of telephone, telegraph and electric light lines therein.
- (6) To impose fines, penalties and forfeitures for any and all violations of ordinances; and for any breach or violation of any ordinance, to fix the penalty by fine or imprisonment or both, but no such fine shall exceed ~~((three hundred))~~ five thousand dollars nor the term of imprisonment exceed ~~((three months))~~ one year.
- (7) To cause all persons imprisoned for violation of any ordinance to labor on the streets or other public property or works within the city.
- (8) To make all such ordinances, bylaws and regulations, not inconsistent with the Constitution and laws of the state of Washington, as may be deemed expedient to maintain the peace, good government and welfare of the city, and to do and perform any and all other acts and things necessary and proper to carry out the purposes of the municipal corporation.

Sec. 807. 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))~~ thousand dollars or imprisonment for any term not exceeding ~~((six months))~~ one year, 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 preempted by the state as provided in RCW 66.08.120, RCW 82.36.440, RCW 48.14.020, and RCW 48.14.080.

Sec. 808. Section 9A.20.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.20.010 are each amended to read as follows:

(1) **Classified Felonies.** (a) The particular classification of each felony defined in Title 9A RCW is expressly designated in the section defining it.

(b) For purposes of sentencing, classified felonies are designated as one of three classes, as follows:

- (i) Class A felony; or
- (ii) Class B felony; or
- (iii) Class C felony.

(2) **Misdemeanors and Gross Misdemeanors.** (a) Any crime punishable by a fine of not more than (~~five hundred~~) one thousand dollars, or by imprisonment in a county jail for not more than ninety days, or by both such fine and imprisonment is a misdemeanor. Whenever the performance of any act is prohibited by any statute, and no penalty for the violation of such statute is imposed, the committing of such act shall be a misdemeanor.

(b) All crimes other than felonies and misdemeanors are gross misdemeanors.

NEW SECTION. Sec. 901. There is appropriated from the general fund to the administrator for the courts for the biennium ending June 30, 1985, the sum of eight thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of section 601(6) of this act.

NEW SECTION. Sec. 902. (1) Sections 1 through 210, 511, 601 through 808, and 901 of this act shall take effect on July 1, 1984.

(2) Sections 501 through 510 and 512 through 524 of this act shall take effect on January 1, 1985.

(3) Sections 301 through 405 of this act shall take effect on July 1, 1985.

NEW SECTION. Sec. 903. 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, after "courts;" strike the remainder of the title and insert "amending section 1, chapter 299, Laws of 1961 as last amended by section 1, chapter 151, Laws of 1979 and RCW 3.30.010; amending section 3, chapter 299, Laws of 1961 as amended by section 1, chapter 73, Laws of 1971 and RCW 3.30.030; amending section 4, chapter 299, Laws of 1961 and RCW 3.30.040; amending section 5, chapter 299, Laws of 1961 as amended by section 2, chapter 73, Laws of 1971 and RCW 3.30.050; amending section 8, chapter 299, Laws of 1961 and RCW 3.30.080; amending section 11, chapter 299, Laws of 1961 as last amended by section 1, chapter 29, Laws of 1982 and RCW 3.34.020; amending section 12, chapter 299, Laws of 1961 as amended by section 2, chapter 66, Laws of 1969 ex. sess. and RCW 3.34.030; amending section 13, chapter 299, Laws of 1961 as last amended by section 1, chapter 195, Laws of 1983 and RCW 3.34.040; amending section 14, chapter 299, Laws of 1961 as amended by section 8, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 3.34.050; amending section 15, chapter 299, Laws of 1961 and RCW 3.34.060; amending section 16, chapter 299, Laws of 1961 and RCW 3.34.070; amending section 17, chapter 299, Laws of 1961 and RCW 3.34.080; amending section 18, chapter 299, Laws of 1961 as amended by section 5, chapter 73, Laws of 1971 and RCW 3.34.090; amending section 19, chapter 299, Laws of 1961 and RCW 3.34.100; amending section 20, chapter 299, Laws of 1961 and RCW 3.34.110; amending section 21, chapter 299, Laws of 1961 and RCW 3.34.120; amending section 22, chapter 299, Laws of 1961 as last amended by section 2, chapter 195, Laws of 1983 and RCW 3.34.130; amending section 23, chapter 299, Laws of 1961 as amended by section 5, chapter 186, Laws of 1981 and RCW 3.34.140; amending section 24, chapter 299, Laws of 1961 and RCW 3.34.150; amending section 25, chapter 299, Laws of 1961 and RCW 3.38.010; amending section 26, chapter 299, Laws of 1961 as amended by section 1, chapter 110, Laws of 1965 ex. sess. and RCW 3.38.020; amending section 1, chapter 213, Laws of 1963 and RCW 3.38.022; amending section 27, chapter 299, Laws of 1961 as amended by section 2, chapter 110, Laws of 1965 ex. sess. and RCW 3.38.030; amending section 3, chapter 110, Laws of 1965 ex. sess. and RCW 3.38.031; amending section 28, chapter 299, Laws of

1961 as amended by section 3, chapter 66, Laws of 1969 ex. sess. and RCW 3.38.040; amending section 29, chapter 299, Laws of 1961 and RCW 3.38.050; amending section 30, chapter 299, Laws of 1961 and RCW 3.38.060; amending section 31, chapter 299, Laws of 1961 as amended by section 7, chapter 162, Laws of 1980 and RCW 3.42.010; amending section 32, chapter 299, Laws of 1961 as amended by section 16, chapter 136, Laws of 1979 ex. sess. and RCW 3.42.020; amending section 33, chapter 299, Laws of 1961 and RCW 3.42.030; amending section 34, chapter 299, Laws of 1961 as amended by section 4, chapter 66, Laws of 1969 ex. sess. and RCW 3.42.040; amending section 98, chapter 299, Laws of 1961 as amended by section 6, chapter 73, Laws of 1971 and RCW 3.54.010; amending section 101, chapter 299, Laws of 1961 as last amended by section 2, chapter 29, Laws of 1982 and RCW 3.58.020; amending section 102, chapter 299, Laws of 1961 and RCW 3.58.030; amending section 103, chapter 299, Laws of 1961 as amended by section 3, chapter 3, Laws of 1983 and RCW 3.58.040; amending section 104, chapter 299, Laws of 1961 as amended by section 3, chapter 213, Laws of 1963 and RCW 3.58.050; amending section 111, chapter 299, Laws of 1961 as last amended by section 14, chapter 128, Laws of 1980 and RCW 3.62.070; amending section 112, chapter 299, Laws of 1961 as amended by section 20, chapter 136, Laws of 1979 ex. sess. and RCW 3.66.010; amending section 113, chapter 299, Laws of 1961 as last amended by section 7, chapter 331, Laws of 1981 and RCW 3.66.020; amending section 115, chapter 299, Laws of 1961 and RCW 3.66.040; amending section 116, chapter 299, Laws of 1961 and RCW 3.66.050; amending section 117, chapter 299, Laws of 1961 as last amended by section 176, chapter 46, Laws of 1983 1st ex. sess. and RCW 3.66.060; amending section 7, chapter 110, Laws of 1965 ex. sess. as amended by section 1, chapter 29, Laws of 1975 and RCW 3.66.065; amending section 1, chapter 75, Laws of 1969 as amended by section 1, chapter 156, Laws of 1983 and RCW 3.66.067; amending section 118, chapter 299, Laws of 1961 as amended by section 32, chapter 165, Laws of 1983 and RCW 3.66.070; amending section 119, chapter 299, Laws of 1961 and RCW 3.66.080; amending section 120, chapter 299, Laws of 1961 as amended by section 1, chapter 241, Laws of 1967 and RCW 3.66.090; amending section 123, chapter 299, Laws of 1961 and RCW 3.70.010; amending section 124, chapter 299, Laws of 1961 and RCW 3.70.020; amending section 125, chapter 299, Laws of 1961 and RCW 3.70.030; amending section 126, chapter 299, Laws of 1961 as amended by section 10, chapter 162, Laws of 1980 and RCW 3.70.040; amending section 130, chapter 299, Laws of 1961 and RCW 3.74.010; amending section 131, chapter 299, Laws of 1961 and RCW 3.74.020; amending section 1, chapter 6, Laws of 1969 ex. sess. and RCW 3.74.030; amending section 1, chapter 187, Laws of 1919 as last amended by section 10, chapter 331, Laws of 1981 and RCW 12.40.010; amending section 2, chapter 187, Laws of 1919 and RCW 12.40.020; amending section 2, chapter 83, Laws of 1970 ex. sess. and RCW 12.40.025; amending section 3, chapter 187, Laws of 1919 as last amended by section 3, chapter 330, Laws of 1981 and RCW 12.40.030; amending section 4, chapter 187, Laws of 1919 as last amended by section 3, chapter 194, Laws of 1981 and RCW 12.40.040; amending section 5, chapter 187, Laws of 1919 and RCW 12.40.050; amending section 6, chapter 187, Laws of 1919 as amended by section 11, chapter 331, Laws of 1981 and RCW 12.40.060; amending section 7, chapter 187, Laws of 1919 and RCW 12.40.070; amending section 8, chapter 187, Laws of 1919 as amended by section 12, chapter 331, Laws of 1981 and RCW 12.40.080; amending section 9, chapter 187, Laws of 1919 and RCW 12.40.090; amending section 10, chapter 187, Laws of 1919 as amended by section 1, chapter 254, Laws of 1983 and RCW 12.40.100; amending section 11, chapter 187, Laws of 1919 as last amended by section 3, chapter 254, Laws of 1983 and RCW 12.40.110; amending section 4, chapter 83, Laws of 1970 ex. sess. and RCW 12.40.120; amending section 680, page 171, Laws of 1869 as last amended by section 738, Code of 1881 and RCW 7.20.140; amending section 35.20-.100, chapter 7, Laws of 1965 as last amended by section 1, chapter 32, Laws of 1972 ex. sess. and RCW 35.20.100; amending section 35, chapter 299, Laws of 1961 and RCW 3.46.010; amending section 36, chapter 299, Laws of 1961 and RCW 3.46-.020; amending section 38, chapter 299, Laws of 1961 and RCW 3.46.040; amending section 40, chapter 299, Laws of 1961 and RCW 3.46.060; amending section 41, chapter 299, Laws of 1961 and RCW 3.46.070; amending section 42, chapter 299, Laws of 1961 and RCW 3.46.080; amending section 43, chapter 299, Laws of 1961 as

amended by section 5, chapter 66, Laws of 1969 ex. sess. and RCW 3.46.090; amending section 44, chapter 299, Laws of 1961 and RCW 3.46.100; amending section 1, chapter 84, Laws of 1973 as amended by section 1, chapter 94, Laws of 1980 and RCW 4.84.250; amending section 85, page 237, Laws of 1854 as last amended by section 1, chapter 30, Laws of 1975-76 2nd ex. sess. and RCW 12.20.060; amending section 4, chapter 221, Laws of 1969 ex. sess. as amended by section 1, chapter 41, Laws of 1971 and RCW 2.06.040; amending section 367, page 201, Laws of 1854 as last amended by section 7, chapter 45, Laws of 1983 1st ex. sess. and RCW 4.84-.010; amending section 4, chapter 254, Laws of 1983 and RCW 12.24.135; amending section 4, page 404, Laws of 1854 as last amended by section 1, chapter 186, Laws of 1983 and RCW 26.04.050; amending section 50, chapter 299, Laws of 1961 and RCW 3.50.010; amending section 51, chapter 299, Laws of 1961 as amended by section 17, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.020; amending section 52, chapter 299, Laws of 1961 as amended by section 18, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.030; amending section 53, chapter 299, Laws of 1961 as amended by section 1, chapter 35, Laws of 1975-76 2nd ex. sess. and RCW 3.50-.040; amending section 54, chapter 299, Laws of 1961 and RCW 3.50.050; amending section 55, chapter 299, Laws of 1961 and RCW 3.50.060; amending section 56, chapter 299, Laws of 1961 and RCW 3.50.070; amending section 57, chapter 299, Laws of 1961 and RCW 3.50.080; amending section 58, chapter 299, Laws of 1961 and RCW 3.50.090; amending section 60, chapter 299, Laws of 1961 and RCW 3.50-.110; amending section 79, chapter 299, Laws of 1961 as amended by section 1, chapter 84, Laws of 1969 and RCW 3.50.300; amending section 81, chapter 299, Laws of 1961 as amended by section 5, chapter 156, Laws of 1983 and RCW 3.50-.320; amending section 82, chapter 299, Laws of 1961 as amended by section 6, chapter 156, Laws of 1983 and RCW 3.50.330; amending section 83, chapter 299, Laws of 1961 as amended by section 7, chapter 156, Laws of 1983 and RCW 3.50-.340; amending section 92, chapter 299, Laws of 1961 and RCW 3.50.430; amending section 93, chapter 299, Laws of 1961 and RCW 3.50.440; amending section 94, chapter 299, Laws of 1961 and RCW 3.50.450; amending section 46.08.190, chapter 12, Laws of 1961 and RCW 46.08.190; amending section 6, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 221, Laws of 1983 and RCW 46.63.040; amending section 46.83.050, chapter 12, Laws of 1961 and RCW 46.83.050; amending section 3, page 121, Laws of 1890 and RCW 78.12.030; amending section 35.20-.010, chapter 7, Laws of 1965 as amended by section 4, chapter 33, Laws of 1975 and RCW 35.20.010; amending section 49, chapter 299, Laws of 1961 and RCW 3.46-.150; amending section 22, chapter 299, Laws of 1961 as last amended by section 19 of this 1984 act and RCW 3.34.130; amending section 46, chapter 299, Laws of 1961 as amended by section 4, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.46.120; amending section 59, chapter 299, Laws of 1961 as amended by section 3, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.50.100; amending section 105, chapter 299, Laws of 1961 and RCW 3.62.010; amending section 106, chapter 299, Laws of 1961 as last amended by section 8, chapter 73, Laws of 1971 and RCW 3.62.020; amending section 108, chapter 299, Laws of 1961 as amended by section 2, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.62.040; amending section 109, chapter 299, Laws of 1961 as last amended by section 1, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.050; amending section 110, chapter 299, Laws of 1961 as last amended by section 1, chapter 330, Laws of 1981 and RCW 3.62.060; amending section 1, chapter 249, Laws of 1953 as last amended by section 1, chapter 126, Laws of 1979 and RCW 27.24.070; amending section 10, chapter 302, Laws of 1977 ex. sess. as last amended by section 1, chapter 239, Laws of 1983 and RCW 7.68.035; amending section 16, chapter 172, Laws of 1935 as last amended by section 11, chapter 232, Laws of 1983 and RCW 9.41.160; amending section 3, page 421, Laws of 1873 as last amended by section 11, chapter 199, Laws of 1969 ex. sess. and RCW 10.82.070; amending section 28A.87.010, chapter 223, Laws of 1969 ex. sess. as amended by section 55, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.010; amending section 28A.87.060, chapter 223, Laws of 1969 ex. sess. as amended by section 57, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.060; amending section 28A.87.070, chapter 223, Laws of 1969 ex. sess. as amended by section 58, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.070; amending section 28A.87-.130, chapter 223, Laws of 1969 ex. sess. as amended by section 60, chapter 199,

Laws of 1969 ex. sess. and RCW 28A.87.130; amending section 28A.87.140, chapter 223, Laws of 1969 ex. sess. as amended by section 61, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.140; amending section 35.20.220, chapter 7, Laws of 1965 as amended by section 5, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.220; amending section 35A.42.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.42.010; amending section 35A.47.030, chapter 119, Laws of 1967 ex. sess. as amended by section 69, chapter 3, Laws of 1983 and RCW 35A.47.030; amending section 2, chapter 20, Laws of 1972 ex. sess. and RCW 36.18.025; amending section 1, chapter 158, Laws of 1963 and RCW 46.08.172; amending section 24, chapter 121, Laws of 1965 ex. sess. as last amended by section 16, chapter 165, Laws of 1983 and RCW 46.20.285; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 18, chapter 165, Laws of 1983 and RCW 46.20.311; amending section 11, chapter 165, Laws of 1983 and RCW 46.20.680; amending section 23, chapter 64, Laws of 1975-'76 2nd ex. sess. as last amended by section 58, chapter 7, Laws of 1984 and RCW 46.44.105; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 21, chapter 165, Laws of 1983 and RCW 46.61.515; amending section 6, chapter 209, Laws of 1975 1st ex. sess. as amended by section 1, chapter 57, Laws of 1977 and RCW 46.61.587; reenacting and amending section 13, chapter 10, Laws of 1982 as amended by section 1, chapter 12, Laws of 1982 1st ex. sess. and by section 4, chapter 14, Laws of 1982 1st ex. sess. and RCW 46.63.110; amending section 8, chapter 39, Laws of 1963 as last amended by section 4, chapter 76, Laws of 1977 and RCW 46.81.070; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 23, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.08.230; amending section 15, chapter 2, Laws of 1983 and RCW 69.50.505; reenacting and amending section 77.12.170, chapter 36, Laws of 1955 as amended by section 1, chapter 284, Laws of 1983 and by section 2, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.12.170; amending section 2, chapter 97, Laws of 1965 ex. sess. as last amended by section 36, chapter 78, Laws of 1980 and RCW 77.12.201; amending section 3, chapter 8, Laws of 1983 1st ex. sess. and RCW 77.21.070; amending section 1, chapter 103, Laws of 1979 and RCW 7.06.010; amending section 206, page 168, Laws of 1854 as amended by section 248, Code of 1881 and RCW 4.48.010; amending section 207, page 168, Laws of 1854 as last amended by section 249, Code of 1881 and RCW 4.48.020; amending section 208, page 168, Laws of 1854 as last amended by section 250, Code of 1881 and RCW 4.48.030; amending section 209, page 169, Laws of 1854 as last amended by section 251, Code of 1881 and RCW 4.48.040; amending section 256, page 61, Laws of 1869 as last amended by section 252, Code of 1881 and RCW 4.48.050; amending section 210, page 169, Laws of 1854 as last amended by section 253, Code of 1881 and RCW 4.48.060; amending section 210, page 169, Laws of 1854 as last amended by section 254, Code of 1881 and RCW 4.48.070; amending section 259, page 62, Laws of 1869 as last amended by section 3, chapter 9, Laws of 1957 and RCW 4.48.080; amending section 260, page 62, Laws of 1869 as last amended by section 256, Code of 1881 and RCW 4.48.090; amending section 376, page 202, Laws of 1854 as last amended by section 514, Code of 1881 and RCW 4.48.100; amending section 121, chapter 299, Laws of 1961 and RCW 3.66.100; amending section 35.20.030, chapter 7, Laws of 1965 as amended by section 23, chapter 136, Laws of 1979 ex. sess. and RCW 35.20.030; amending section 35.22.280, chapter 7, Laws of 1965 as last amended by section 20, chapter 316, Laws of 1977 ex. sess. and RCW 35.22.280; amending section 35.23.440, chapter 7, Laws of 1965 as last amended by section 28, chapter 136, Laws of 1979 ex. sess. and RCW 35.23.440; amending section 35.24.290, chapter 7, Laws of 1965 as last amended by section 23, chapter 316, Laws of 1977 ex. sess. and RCW 35.24.290; amending section 35.27.370, chapter 7, Laws of 1965 as last amended by section 25, chapter 316, Laws of 1977 ex. sess. and RCW 35.27.370; amending section 35.30.010, chapter 7, Laws of 1965 and RCW 35.30.010; amending 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; amending section 9A.20.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.20.010; adding a new section to chapter 2.04 RCW; adding a new section to chapter 2.06 RCW; adding new sections to chapter 2.08 RCW; adding new sections to chapter 2.56 RCW; adding a new section to chapter 3.30 RCW; adding new sections to chapter 3.50 RCW; adding a new section to chapter 3.62 RCW; adding new sections to chapter 4.48 RCW;

adding a new chapter to Title 7 RCW; adding a new section to chapter 12.16 RCW; adding a new section to chapter 35.22 RCW; adding a new section to chapter 35.23 RCW; adding a new section to chapter 35.24 RCW; adding a new section to chapter 35.27 RCW; adding a new section to chapter 35.30 RCW; adding a new section to chapter 35A.11 RCW; adding a new section to chapter 43.08 RCW; creating new sections; recodifying RCW 35A.20.150; repealing section 1, chapter 11, Laws of 1955 and RCW 3.04.010; repealing section 4, page 120, Laws of 1888, section 2, chapter 11, Laws of 1955 and RCW 3.04.030; repealing section 3, page 223, Laws of 1854, section 1691, Code of 1881, section 3, chapter 11, Laws of 1955 and RCW 3.04.040; repealing section 4, page 223, Laws of 1854, section 1692, Code of 1881, section 4, chapter 11, Laws of 1955 and RCW 3.04.050; repealing section 5, page 223, Laws of 1854, section 1693, Code of 1881, section 5, chapter 11, Laws of 1955 and RCW 3.04.060; repealing section 6, page 223, Laws of 1854, section 1694, Code of 1881, section 6, chapter 11, Laws of 1955 and RCW 3.04.070; repealing section 7, page 224, Laws of 1854, section 1695, Code of 1881, section 7, chapter 11, Laws of 1955 and RCW 3.04.080; repealing section 20, page 226, Laws of 1854, section 14, page 333, Laws of 1873, section 1707, Code of 1881, section 14, chapter 156, Laws of 1951 and RCW 3.04.090; repealing section 10, page 224, Laws of 1854, section 1703, Code of 1881, and RCW 3.04.100; repealing section 25, page 227, Laws of 1854, section 31, page 339, Laws of 1873, section 1724, Code of 1881, section 8, chapter 11, Laws of 1955 and RCW 3.04.110; repealing section 12, chapter 187, Laws of 1919 and RCW 3.04.120; repealing section 11, page 224, Laws of 1854, section 1704, Code of 1881, section 15, chapter 156, Laws of 1951 and RCW 3.04.130; repealing section 12, page 224, Laws of 1854, section 1705, Code of 1881 and RCW 3.04.140; repealing section 21, page 226, Laws of 1854, section 15, page 333, Laws of 1873, section 1708, Code of 1881 and RCW 3.04.150; repealing section 13, page 225, Laws of 1854, section 2796, Code of 1881, section 1, chapter 237, Laws of 1953 and RCW 3.08.010; repealing section 15, page 225, Laws of 1854, section 2798, Code of 1881 and RCW 3.08.020; repealing section 16, page 225, Laws of 1854, section 2799, Code of 1881 and RCW 3.08.030; repealing section 2800, Code of 1881, section 9, chapter 11, Laws of 1955 and RCW 3.08.040; repealing section 14, page 225, Laws of 1854, section 2797, Code of 1881 and RCW 3.08.050; repealing section 10, chapter 11, Laws of 1955 and RCW 3.08.060; repealing section 3, chapter 237, Laws of 1953 and RCW 3.08.065; repealing section 1, chapter 138, Laws of 1935, section 1, chapter 64, Laws of 1941 and RCW 3.08.070; repealing section 2, chapter 237, Laws of 1953 and RCW 3.08.080; repealing section 3, page 120, Laws of 1888, section 11, chapter 11, Laws of 1955 and RCW 3.12.010; repealing section 1, chapter 156, Laws of 1951, section 12, chapter 11, Laws of 1955, section 1, chapter 203, Laws of 1957 and RCW 3.12.021; repealing section 6, chapter 156, Laws of 1951 and RCW 3.12.041; repealing section 7, chapter 156, Laws of 1951 and RCW 3.12.051; repealing section 2, chapter 156, Laws of 1951, section 2, chapter 203, Laws of 1957 and RCW 3.12.071; repealing section 1, chapter 63, Laws of 1931 and RCW 3.12.080; repealing section 8, chapter 7, Laws of 1891, section 1 chapter 102, Laws of 1917, section 1, chapter 21, Laws of 1943 and RCW 3.12.090; repealing section 10, chapter 156, Laws of 1951 and RCW 3.14.020; repealing section 9, chapter 156, Laws of 1951 and RCW 3.14.050; repealing section 13, chapter 156, Laws of 1951 and RCW 3.14.060; repealing section 3, chapter 156, Laws of 1951, section 5, chapter 206, Laws of 1953 and RCW 3.16.002; repealing section 4, chapter 156, Laws of 1951, section 6, chapter 110, Laws of 1965 ex. sess., section 2, chapter 52, Laws of 1969 and RCW 3.16.004; repealing section 13, chapter 11, Laws of 1955 and RCW 3.16.008; repealing section 2, chapter 66, Laws of 1897, section 14, chapter 11, Laws of 1955 and RCW 3.16.010; repealing section 3, chapter 105, Laws of 1905, section 15, chapter 11, Laws of 1955 and RCW 3.16.020; repealing section 3, chapter 145, Laws of 1909, sections 3, 4, chapter 41, Laws of 1913, section 16, chapter 11, Laws of 1955 and RCW 3.16.030; repealing section 17, chapter 11, Laws of 1955 and RCW 3.16.050; repealing section 9, chapter 7, Laws of 1891, section 18, chapter 11, Laws of 1955 and RCW 3.16.060; repealing section 1, chapter 66, Laws of 1893, section 1, chapter 121, Laws of 1907, section 1, chapter 138, Laws of 1915, section 1, chapter 143, Laws of 1919 and RCW 3.16.070; repealing section 2, chapter 66, Laws of 1893 and RCW 3.16.080; repealing section 3, chapter 66, Laws of 1893 and RCW 3.16.090; repealing section 1, part, chapter 56, Laws of 1907, section 13, chapter 263, Laws of 1959 and RCW 3.16.100; repealing

section 3, chapter 7, Laws of 1891, section 5, chapter 199, Laws of 1969 ex. sess. and RCW 3.16.110; repealing section 4, chapter 7, Laws of 1891 and RCW 3.16.120; repealing section 5, chapter 7, Laws of 1891, section 6, chapter 199, Laws of 1969 ex. sess. and RCW 3.16.130; repealing section 10, chapter 7, Laws of 1891 and RCW 3.16.140; repealing section 6, chapter 7, Laws of 1891 and RCW 3.16.150; repealing section 181, page 379, Laws of 1863, section 1901, Code of 1881, section 7, chapter 199, Laws of 1969 ex. sess. and RCW 3.16.160; repealing section 22, page 226, Laws of 1854, section 1709, Code of 1881, section 1, chapter 89, Laws of 1941 and RCW 3.20.010; repealing section 23, page 226, Laws of 1854, section 17, page 333, Laws of 1873, section 1, page 199, Laws of 1877, section 1710, Code of 1881, section 1, page 44, Laws of 1883, section 1, chapter 73, Laws of 1891, section 19, chapter 11, Laws of 1955, section 1, chapter 96, Laws of 1965, section 2, chapter 102, Laws of 1979, section 6, chapter 331, Laws of 1981 and RCW 3.20.020; repealing section 24, page 227, Laws of 1854, section 18, page 334, Laws of 1873, section 1711, Code of 1881 and RCW 3.20.030; repealing section 171, page 279, Laws of 1860, section 184, page 181, Laws of 1873, section 1, page 51, Laws of 1875, section 1886, Code of 1881, section 1, chapter 35, Laws of 1901, section 1, chapter 98, Laws of 1909, section 175, chapter 46, Laws of 1983 1st ex. sess. and RCW 3.20.040; repealing section 9, page 224, Laws of 1854, section 1702, Code of 1881, section 2, chapter 89, Laws of 1941 and RCW 3.20.050; repealing section 1, chapter 40, Laws of 1899, section 1, chapter 65, Laws of 1901, section 1, chapter 53, Laws of 1925 ex. sess., section 1, chapter 75, Laws of 1929, section 3, chapter 89, Laws of 1941, section 2, chapter 206, Laws of 1953 and RCW 3.20.060; repealing section 1, chapter 264, Laws of 1927, section 2, chapter 75, Laws of 1929 and RCW 3.20.070; repealing section 3, chapter 75, Laws of 1929 and RCW 3.20.080; repealing section 2, chapter 65, Laws of 1901, section 4, chapter 75, Laws of 1929, section 4, chapter 89, Laws of 1941 and RCW 3.20.090; repealing section 68, page 252, Laws of 1860, section 162, page 369, Laws of 1863, section 1881, Code of 1881 and RCW 3.20.110; repealing section 1, chapter 4, Laws of 1933 ex. sess., section 1, chapter 135, Laws of 1935 and RCW 3.20.120; repealing section 4, chapter 206, Laws of 1953 and RCW 3.20.131; repealing section 1, chapter 14, Laws of 1923 and RCW 3.24.010; repealing section 2, chapter 14, Laws of 1923, section 1, chapter 201, Laws of 1927 and RCW 3.24.020; repealing section 4, chapter 14, Laws of 1923 and RCW 3.24.030; repealing section 5, chapter 14, Laws of 1923 and RCW 3.24.040; repealing section 6, chapter 14, Laws of 1923 and RCW 3.24.050; repealing section 3, chapter 14, Laws of 1923 and RCW 3.24.060; repealing section 7, chapter 14, Laws of 1923 and RCW 3.24.070; repealing section 8, chapter 14, Laws of 1923 and RCW 3.24.080; repealing section 9, chapter 14, Laws of 1923 and RCW 3.24.090; repealing section 145, page 248, Laws of 1854, section 665, chapter 171, Laws of 1873, section 1842, Code of 1881 and RCW 3.28.010; repealing section 147, page 249, Laws of 1854, section 668, page 173, Laws of 1873, section 1844, Code of 1881 and RCW 3.28.020; repealing section 148, page 249, Laws of 1854, section 667, page 172, Laws of 1873, section 1845, Code of 1881 and RCW 3.28.030; repealing section 149, page 249, Laws of 1854, section 1846, Code of 1881 and RCW 3.28.040; repealing section 150, page 249, Laws of 1854, section 1847, Code of 1881 and RCW 3.28.050; repealing section 146, page 249, Laws of 1854, section 166, page 172, Laws of 1873, section 1843, Code of 1881 and RCW 3.28.060; repealing section 151, page 250, Laws of 1854, section 1848, Code of 1881, section 8, chapter 199, Laws of 1969 ex. sess. and RCW 3.28.070; repealing section 128, chapter 299, Laws of 1961 and RCW 3.74.910; repealing section 129, chapter 299, Laws of 1961 and RCW 3.74.920; repealing section 211, chapter 249, Laws of 1909, section 1, chapter 100, Laws of 1917 and RCW 9.04.020 repealing section 7, chapter 84, Laws of 1973 and RCW 4.84.310 repealing section 61, chapter 299, Laws of 1961 and RCW 3.50.120; repealing section 62, chapter 299, Laws of 1961 and RCW 3.50.130; repealing section 63, chapter 299, Laws of 1961 and RCW 3.50.140; repealing section 64, chapter 299, Laws of 1961 and RCW 3.50.150; repealing section 65, chapter 299, Laws of 1961 and RCW 3.50.160; repealing section 66, chapter 299, Laws of 1961 and RCW 3.50.170; repealing section 67, chapter 299, Laws of 1961 and RCW 3.50.180; repealing section 68, chapter 299, Laws of 1961 and RCW 3.50.190; repealing section 69, chapter 299, Laws of 1961 and RCW 3.50.200; repealing section 70, chapter 299, Laws of 1961 and RCW 3.50.210; repealing section 71, chapter 299, Laws of 1961 and RCW 3.50.220; repealing section 72,

chapter 299, Laws of 1961 and RCW 3.50.230; repealing section 73, chapter 299, Laws of 1961 and RCW 3.50.240; repealing section 74, chapter 299, Laws of 1961 and RCW 3.50.250; repealing section 75, chapter 299, Laws of 1961 and RCW 3.50.260; repealing section 76, chapter 299, Laws of 1961 and RCW 3.50.270; repealing section 77, chapter 299, Laws of 1961, section 19, chapter 136, Laws of 1979 ex. sess. and RCW 3.50.280; repealing section 78, chapter 299, Laws of 1961 and RCW 3.50.290; repealing section 80, chapter 299, Laws of 1961 and RCW 3.50.310; repealing section 84, chapter 299, Laws of 1961 and RCW 3.50.350; repealing section 85, chapter 299, Laws of 1961 and RCW 3.50.360; repealing section 86, chapter 299, Laws of 1961 and RCW 3.50.370; repealing section 87, chapter 299, Laws of 1961 and RCW 3.50.380; repealing section 88, chapter 299, Laws of 1961 and RCW 3.50.390; repealing section 89, chapter 299, Laws of 1961 and RCW 3.50.400; repealing section 90, chapter 299, Laws of 1961, section 15, chapter 81, Laws of 1971 and RCW 3.50.410; repealing section 91, chapter 299, Laws of 1961 and RCW 3.50.420; repealing section 95, chapter 299, Laws of 1961 and RCW 3.50.460; repealing section 96, chapter 299, Laws of 1961 and RCW 3.50.470; repealing section 35.20.040, chapter 7, Laws of 1965 and RCW 35.20.040; repealing section 35.20.050, chapter 7, Laws of 1965 and RCW 35.20.050; repealing section 35.20.060, chapter 7, Laws of 1965 and RCW 35.20.060; repealing section 35.20.070, chapter 7, Laws of 1965, section 88, chapter 81, Laws of 1971 and RCW 35.20.070; repealing section 35.20.080, chapter 7, Laws of 1965 and RCW 35.20.080; repealing section 35.20.900, chapter 7, Laws of 1965, section 5, chapter 33, Laws of 1975 and RCW 35.20.900; repealing section 35.21.170, chapter 7, Laws of 1965 and RCW 35.21.170; repealing section 35.22.420, chapter 7, Laws of 1965, section 3, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.420; repealing section 35.22.430, chapter 7, Laws of 1965 and RCW 35.22.430; repealing section 35.22.440, chapter 7, Laws of 1965 and RCW 35.22.440; repealing section 35.22.460, chapter 7, Laws of 1965, section 4, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.460; repealing section 35.22.480, chapter 7, Laws of 1965, section 5, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.480; repealing section 5, chapter 241, Laws of 1967 and RCW 35.22.485; repealing section 35.22.490, chapter 7, Laws of 1965 and RCW 35.22.490; repealing section 35.22.500, chapter 7, Laws of 1965 and RCW 35.22.500; repealing section 35.22.510, chapter 7, Laws of 1965, section 26, chapter 136, Laws of 1979 ex. sess. and RCW 35.22.510; repealing section 35.22.520, chapter 7, Laws of 1965 and RCW 35.22.520; repealing section 35.22.530, chapter 7, Laws of 1965, section 27, chapter 136, Laws of 1979 ex. sess. and RCW 35.22.530; repealing section 35.22.540, chapter 7, Laws of 1965 and RCW 35.22.540; repealing section 35.22.550, chapter 7, Laws of 1965 and RCW 35.22.550; repealing section 35.22.560, chapter 7, Laws of 1965, section 89, chapter 81, Laws of 1971 and RCW 35.22.560; repealing section 35.23.590, chapter 7, Laws of 1965 and RCW 35.23.590; repealing section 35.23.600, chapter 7, Laws of 1965, section 8, chapter 116, Laws of 1965 ex. sess. and RCW 35.23.600; repealing section 35.23.610, chapter 7, Laws of 1965 and RCW 35.23.610; repealing section 35.23.620, chapter 7, Laws of 1965, section 7, chapter 241, Laws of 1967 and RCW 35.23.620; repealing section 6, chapter 241, Laws of 1967 and RCW 35.23.625; repealing section 35.23.630, chapter 7, Laws of 1965 and RCW 35.23.630; repealing section 35.23.640, chapter 7, Laws of 1965 and RCW 35.23.640; repealing section 35.23.650, chapter 7, Laws of 1965, section 1, chapter 35, Laws of 1969 and RCW 35.23.650; repealing section 35.23.660, chapter 7, Laws of 1965 and RCW 35.23.660; repealing section 35.23.670, chapter 7, Laws of 1965 and RCW 35.23.670; repealing section 35.24.450, chapter 7, Laws of 1965, section 1, chapter 94, Laws of 1965, section 11, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.450; repealing section 35.24.460, chapter 7, Laws of 1965, section 2, chapter 94, Laws of 1965, section 12, chapter 116, Laws of 1965 ex. sess., section 29, chapter 136, Laws of 1979 ex. sess. and RCW 35.24.460; repealing section 8, chapter 241, Laws of 1967 and RCW 35.24.465; repealing section 35.24.470, chapter 7, Laws of 1965, section 13, chapter 116, Laws of 1965 ex. sess., section 30, chapter 136, Laws of 1979 ex. sess. and RCW 35.24.470; repealing section 1, chapter 108, Laws of 1965 and RCW 35.24.480; repealing section 35.27.520, chapter 7, Laws of 1965, section 16, chapter 116, Laws of 1965 ex. sess., section 1, chapter 28, Laws of 1969 and RCW 35.27.520; repealing section 2, chapter 108, Laws of 1965 and RCW 35.27.525; repealing section 35.27.530, chapter 7, Laws of 1965, section 17, chapter 116, Laws of 1965 ex. sess., section 31, chapter 136, Laws of 1979 ex. sess. and RCW

35.27.530; repealing section 9, chapter 241, Laws of 1967 and RCW 35.27.535; repealing section 35.27.540, chapter 7, Laws of 1965, section 18, chapter 116, Laws of 1965 ex. sess., section 32, chapter 136, Laws of 1979 ex. sess. and RCW 35.27.540; repealing section 35A.20.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.010; repealing section 35A.20.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.020; repealing section 35A.20.030, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.030; repealing section 35A.20.040, chapter 119, Laws of 1967 ex. sess., section 33, chapter 136, Laws of 1979 ex. sess. and RCW 35A.20.040; repealing section 35A.20.050, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.050; repealing section 35A.20.060, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.060; repealing section 35A.20.070, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.070; repealing section 35A.20.080, chapter 119, Laws of 1967 ex. sess., section 34, chapter 136, Laws of 1979 ex. sess. and RCW 35A.20.080; repealing section 35A.20.090, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.090; repealing section 35A.20.100, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.100; repealing section 35A.20.110, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.110; repealing section 35A.20.120, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.120; repealing section 35A.20.130, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.130; repealing section 7, chapter 132, Laws of 1981, section 1, chapter 9, Laws of 1983 1st ex. sess. and RCW 2.56.100; repealing section 1, chapter 199, Laws of 1969 ex. sess., section 2, chapter 130, Laws of 1974 ex. sess., section 129, chapter 78, Laws of 1980 and RCW 3.62.015; repealing section 4, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.055; repealing section 2, chapter 330, Laws of 1981 and RCW 3.62.080; repealing section 4, chapter 330, Laws of 1981 and RCW 13.40.260; repealing section 2, chapter 107, Laws of 1977 ex. sess. and RCW 36.18.026; repealing section 2, chapter 70, Laws of 1980, section 6, chapter 330, Laws of 1981 and RCW 36.18.027; repealing section 3, chapter 212, Laws of 1977 ex. sess., section 1, chapter 164, Laws of 1979 ex. sess., section 8, chapter 4, Laws of 1981, section 1, chapter 127, Laws of 1981 and RCW 43.101.210; repealing section 3, chapter 130, Laws of 1974 ex. sess. and RCW 46.61.518; repealing section 46.68.050, chapter 12, Laws of 1961, section 10, chapter 99, Laws of 1969, section 23, chapter 199, Laws of 1969 ex. sess. and RCW 46.68.050; repealing section 2, chapter 9, Laws of 1970 ex. sess., section 1, chapter 26, Laws of 1971 ex. sess., section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030; repealing section 5, chapter 39, Laws of 1963 and RCW 46.81.040; repealing section 3, chapter 9, Laws of 1970 ex. sess. and RCW 46.81.050; repealing section 7, chapter 39, Laws of 1963, section 5, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.060; repealing section 47.08.030, chapter 13, Laws of 1961, section 26, chapter 199, Laws of 1969 ex. sess. and RCW 47.08.030; repealing section 1, chapter 57, Laws of 1975, section 31, chapter 78, Laws of 1980 and RCW 77.21.050; repealing section 1, chapter 144, Laws of 1953, section 1, chapter 260, Laws of 1957, section 1, chapter 127, Laws of 1965 ex. sess., section 1, chapter 100, Laws of 1972 ex. sess., section 2, chapter 106, Laws of 1973, section 3, chapter 149, Laws of 1974 ex. sess. (Initiative Measure No. 282), section 2, chapter 263, Laws of 1975 1st ex. sess., section 2, chapter 318, Laws of 1977 ex. sess., section 4, chapter 255, Laws of 1979 ex. sess. and RCW 2.04.090; repealing section 6, chapter 221, Laws of 1969 ex. sess., section 2, chapter 100, Laws of 1972 ex. sess., section 3, chapter 106, Laws of 1973, section 4, chapter 149, Laws of 1974 ex. sess. (Initiative Measure No. 282), section 3, chapter 263, Laws of 1975 1st ex. sess., section 3, chapter 318, Laws of 1977 ex. sess., section 5, chapter 255, Laws of 1979 ex. sess. and RCW 2.06.060; repealing section 2, chapter 144, Laws of 1953, section 2, chapter 260, Laws of 1957, section 2, chapter 127, Laws of 1965 ex. sess., section 1, chapter 65, Laws of 1967, section 3, chapter 100, Laws of 1972 ex. sess., section 5, chapter 149, Laws of 1974 ex. sess. (Initiative Measure No. 282), section 4, chapter 263, Laws of 1975 1st ex. sess., section 4, chapter 318, Laws of 1977 ex. sess., section 6, chapter 255, Laws of 1979 ex. sess. and RCW 2.08.090; repealing section 1, chapter 259, Laws of 1957, section 1, chapter 93, Laws of 1969, section 1, chapter 156, Laws of 1974 ex. sess., section 7, chapter 255, Laws of 1979 ex. sess. and RCW 2.56.010; repealing section 57, page 233, Laws of 1854, section 168, page 370, Laws of 1873, section 1869, Code of 1881 and RCW 12.16.010; repealing section 66, page 234, Laws of 1854, section 177, page 371, Laws of 1873, section 1878, Code of 1881 and RCW 12.16.100; repealing section 67, page 234, Laws of 1854, section 178, page 371, Laws of 1873, section 1879, Code of 1881 and

RCW 12.16.110; repealing section 68, page 234, Laws of 1854, section 179, page 372, Laws of 1873, section 1880, Code of 1881 and RCW 12.16.120; making an appropriation; and providing effective dates."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Crane.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4432 Prime Sponsor, Senator Fleming: Establishing a mathematics, engineering, and science achievement program for underrepresented groups. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that high technology is important to the state's economy and the welfare of its citizens. The legislature finds that certain groups, as characterized by sex or ethnic background, are traditionally underrepresented in mathematics, engineering, and the science-related professions in this state. The legislature finds that women and minority students have been traditionally discouraged from entering the fields of science and mathematics. The legislature finds that attitudes and knowledges acquired during the kindergarten through eighth grade prepare students to succeed in high school science and mathematics programs and that special skills necessary for these fields need to be acquired during the ninth through twelfth grades. It is the intent of the legislature to promote a mathematics, engineering, and science achievement program to help increase the number of people in these fields from groups underrepresented in these fields.

NEW SECTION, Sec. 2. A program to increase the number of people from groups underrepresented in the fields of mathematics, engineering, and the physical sciences in this state shall be established by the University of Washington. The program shall be administered through the University of Washington and designed to:

(1) Encourage students in the targeted groups in the common schools, with a particular emphasis on those students in the ninth through twelfth grades, to acquire the academic skills needed to study mathematics, engineering, or related sciences at an institution of higher education;

(2) Promote the awareness of career opportunities and the skills necessary to achieve those opportunities among students sufficiently early in their educational careers to permit and encourage the students to acquire the skills;

(3) Promote cooperation among institutions of higher education, the superintendent of public instruction and local school districts in working towards the goals of the program; and

(4) Solicit contributions of time and resources from public and private institutions of higher education, high schools, and private business and industry.

NEW SECTION, Sec. 3. A coordinator shall be hired to administer the program. Additional staff as necessary may be hired.

NEW SECTION, Sec. 4. The coordinator shall develop standards and criteria for selecting students who participate in the program which may include predictive instruments to ascertain aptitude and probability of success. The standards shall include requirements that students take certain courses, maintain a certain grade point average, and participate in activities sponsored by the program. Women and students from minority groups, which are traditionally underrepresented in mathematics and science-related professions and which meet the requirements established by the coordinator shall be selected.

NEW SECTION, Sec. 5. The coordinator shall establish local program centers throughout the state to implement sections 2 through 4 of this act. Each center shall be managed by a center director. Additional staff as necessary may be hired.

NEW SECTION, Sec. 6. Implementation of this act shall be subject to funds being appropriated or otherwise available for such purposes.

NEW SECTION, Sec. 7. Sections 2 through 5 of this act are each added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW."

Signed by Representatives Galloway, Chair; P. King, Vice Chair; Appelwick, Armstrong, Ebersole, Haugen, Heck, Holland, Johnson, Long, Rust, Schoon and Todd.

Voting nay: Representatives Betzoff, Chandler, Dickie, Egger, Fuhrman, Johnson and Taylor.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4445 Prime Sponsor, Senator Moore: Allowing beer and wine producers to provide product information to consumers on licensed retail premises. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 20 after "retailers." insert "The promotional value of such educational activities or product information shall not be considered advancement of moneys or of moneys' worth within the meaning of RCW 66.28.010."

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Tilly, Van Dyken, Walk, B. Williams and Wilson.

Voting nay: Representative Stratton.

Absent: Representatives Haugen and Kaiser.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4619 Prime Sponsor, Senator Thompson: Modifying procedures for filling vacancies in the office of fire commissioner. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 20, chapter 34, Laws of 1939 as last amended by section 48, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.08.030 are each amended to read as follows:

Any fire protection district organized under this ~~((act shall have authority))~~ title may:

(1) ~~((To))~~ Lease, acquire, own, maintain, operate, and provide fire ((engines)) and emergency medical apparatus and all other necessary or proper ~~((apparatus))~~ facilities, machinery, and equipment for the prevention and ((extinguishment)) suppression of fires, the providing of emergency medical services and the protection of life and property;

(2) ~~((To))~~ Lease, acquire, own, maintain, and operate real property, improvements, and fixtures ((thereon suitable and convenient)) for housing, repairing, and ((caring for fire fighting equipment)) maintaining the apparatus, facilities, machinery, and equipment described in subsection (1) of this section;

(3) ~~((To enter into contract with any incorporated city or town whereby such city or town shall furnish fire prevention and fire extinguishment service to the districts and the inhabitants thereof under the provisions of this act upon such terms as the board of directors of the district shall determine. To))~~ Contract with ((another county fire protection district or with any town, city or municipal corporation or governmental agency)) any governmental entity or private person or ((persons)) entity to consolidate or cooperate for ((mutual)) fire ((fighting protection and)) prevention protection, fire suppression, and emergency medical purposes. ((Any city, town, municipal corporation or governmental agency may contract with a county fire protection district established and maintained under the provisions of this act for the purpose of affording such district fire fighting and protection equipment and service or fire prevention facilities, and in so contracting the district, city, town, municipal corporation or other governmental agency shall be deemed for all purposes to act within its governmental capacity. Any county fire protection district established and maintained under the provisions of this act, or any city, town, municipal corporation or other governmental agency is hereby authorized to contract with any person, firm or corporation for the purpose of affording fire fighting, protection or fire prevention facilities to such person, firm or corporation and such contractual relation shall be deemed for all purposes to be within the governmental power of such rural fire protection district, city, town, municipal corporation or other governmental agency)) In so contracting, the district or governmental entity is deemed for all purposes to be acting within its governmental capacity. This contracting authority includes the furnishing of fire prevention, fire suppression, emergency medical services, facilities, and equipment to or by the district, governmental entity, or private person or entity;

(4) ~~((Fire protection districts situated in different counties may contract to operate jointly in carrying out the objects of their creation. Contracts for joint operation may provide for joint ownership of property and equipment, and may authorize a joint board of fire commissioners of the contracting districts to manage the affairs of the joint operations; to employ and discharge the necessary agents and employees and fix their respective wages and salaries; to provide and designate a suitable place in any county in which any of the contracting districts is situated, as a regular meeting place for the joint board; to incur the necessary expenses and direct the payment therefor from the funds of the contracting districts in such proportion as the~~

joint boards shall determine; and to do all things as may in the judgment of the joint board be required to carry out the joint operations of the contracting districts.

The joint board shall consist of the members of the boards of the contracting districts and a majority of the membership of each district board shall constitute a quorum for the transaction of the business of the joint board. The members of the boards of fire commissioners of the contracting districts shall organize as a joint board annually in January after the second Monday thereof, elect a chairman and appoint a secretary for the ensuing year. Any member of the board of any contracting district may act as secretary of the joint board or the joint board may appoint such other person as the joint board may determine. The joint board shall prepare the annual budget for the joint operation of the contracting districts and shall determine the share of revenues for the joint operation to be raised by each district and the share of the expense of joint operation to be paid by each district in the ensuing year, and the secretary of the joint board shall certify and deliver within the time required by law, to the county auditor of each county involved, the part of the budget to be raised by the district in that county and the tax officials of that county shall levy and collect the tax, and the county treasurer shall pay vouchers drawn by the joint board on the funds of the district in that county upon warrants issued by the county auditor of that county.

Contracts for joint operation of fire districts, as herein authorized shall run from year to year and as of January 1st may be terminated by written notice of the board of fire commissioners of any contracting district to the other contracting district or districts on or before July 1st and the contract for joint operations shall terminate on January 1st following. PROVIDED: That all obligations of the joint operations must be paid or definitely arranged for before contract termination and no notice of termination shall relieve any contracting district of its unpaid obligation incurred under the contract for joint operation;

~~(5) To~~ Encourage uniformity and coordination of fire protection district operations ~~((programs))~~. The fire commissioners of ~~((two or more))~~ fire protection districts~~((;))~~ may form an association ~~((thereof for the purpose of securing data and))~~ to secure information of value in ~~((fighting and in))~~ suppressing and preventing fires~~((;))~~ and other district purposes, to hold and attend meetings ~~((thereof))~~, and to promote more economical and efficient operation of the associated fire protection districts. The ~~((directors))~~ commissioners of fire protection districts ~~((so associated))~~ in the association shall adopt articles of association or articles of incorporation for a nonprofit corporation, select a chairman ~~((and))~~, secretary, and ~~((such))~~ other officers as they may determine, and may employ and discharge ~~((such))~~ agents and employees as the officers deem convenient to carry out the purposes of the association. The expenses of the association may be paid from ~~((fire protection district expense))~~ funds ~~((upon vouchers of the respective associated))~~ paid into the association by fire protection districts. PROVIDED: That the aggregate contributions made to the association by ~~((any))~~ a district in ~~((any))~~ a calendar year shall not exceed two and one-half cents per thousand dollars of assessed valuation;

~~((6))~~ Two or more fire protection districts may contract with each other and such a district may contract with a city or county or the state supervisor of forestry or any association approved by him for the joint leasing, ownership, maintenance and operation of all necessary and proper apparatus, facilities, machinery, and equipment for the elimination of fire hazards and for the protection of life and property within the contracting districts, and of real property, improvements and fixtures thereon suitable and convenient for the housing, repairing, and caring for such apparatus, facilities, machinery, and equipment, and may contribute their agreed proportion of the cost and expense thereof.

Such contracts shall be executed by the commissioners of the contracting districts and, when the contract is between such districts, the terms and conditions thereof shall be carried out by the boards of commissioners acting jointly;

~~(7) To do all things and perform all acts not otherwise prohibited by law.~~

~~(8) May~~ (5) Enter into contracts to provide group life insurance for the benefit of the personnel of the fire districts~~((; but not to exceed ten thousand dollars coverage per covered employee, and not more than fifty percent of the cost of such insurance shall be borne by the employer fire district))~~;

~~((6))~~ Two or more fire protection districts may contract with each other and such a district may contract with a city or county or the state supervisor of forestry or any association approved by him for the joint leasing, ownership, maintenance and operation of all necessary and proper apparatus, facilities, machinery, and equipment for the elimination of fire hazards and for the protection of life and property within the contracting districts, and of real property, improvements and fixtures thereon suitable and convenient for the housing, repairing, and caring for such apparatus, facilities, machinery, and equipment, and may contribute their agreed proportion of the cost and expense thereof.

Such contracts shall be executed by the commissioners of the contracting districts and, when the contract is between such districts, the terms and conditions thereof shall be carried out by the boards of commissioners acting jointly;

~~(7) To do all things and perform all acts not otherwise prohibited by law.~~

~~(8) May~~ (5) Enter into contracts to provide group life insurance for the benefit of the personnel of the fire districts~~((; but not to exceed ten thousand dollars coverage per covered~~

employee, and not more than fifty percent of the cost of such insurance shall be borne by the employer fire district);

(6) Perform building and property inspections that the district deems necessary to provide fire prevention services and pre-fire planning within the district and any area that the district serves by contract in accordance with RCW 19.27.110: PROVIDED, That codes used by the district for building and property inspections shall be limited to the applicable codes adopted by the state, county, city, or town that has jurisdiction over the area in which the property is located. A copy of inspection reports prepared by the district shall be furnished by the district to the appropriate state, county, city, or town that has jurisdiction over the area in which the property is located: PROVIDED, That nothing in this subsection shall be construed to grant code enforcement authority to a district. This subsection shall not be construed as imposing liability on any governmental jurisdiction;

(7) Determine the origin and cause of fires occurring within the district and any area the district serves by contract. In exercising the authority conferred by this subsection, the fire protection district and its authorized representatives shall comply with the provisions of RCW 48.48.060;

(8) Perform acts consistent with this title and not otherwise prohibited by law.

Sec. 2. Section 26, chapter 34, Laws of 1939 as last amended by section 1, chapter 64, Laws of 1977 and RCW 52.12.050 are each amended to read as follows:

In ~~((case))~~ the event of a vacancy occurring in the office of fire commissioner, ~~((such))~~ the vacancy shall, within ~~((thirty))~~ sixty days, be filled by appointment of a resident elector of the district by a vote of the remaining fire commissioners ~~((and))~~. The person appointed shall serve until ~~((his))~~ a successor has been elected or appointed and has qualified. If the board of commissioners fails to fill the vacancy within the sixty-day period, the county legislative authority shall make the appointment. If ~~((there should be at the same time such))~~ the number of vacancies is such that there are not ~~((in office))~~ a majority of the full number of commissioners in office as fixed by law, the county legislative authority shall within thirty days of ~~((such))~~ the vacancies appoint the required number to create a majority as prescribed by law to fill the vacancies ad interim through the next general election. At the next general election, if there is sufficient time for the nomination of candidates for office of fire commissioner ~~((as herein provided))~~, after the filling of any vacancy in ~~((such))~~ the office ~~((as aforesaid))~~, ~~((there shall be elected))~~ a fire commissioner shall be elected to serve for the remainder of the unexpired term.

If a fire commissioner is absent from the district for three consecutive regularly scheduled meetings unless by permission of the board ~~((his))~~, the office shall be declared vacant by the board of ~~((county))~~ commissioners and ~~((such))~~ the vacancy shall be filled as provided for in this section ~~((but provided that no))~~. However, such an action shall not be taken unless ~~((he))~~ the commissioner is notified by mail after two consecutive unexcused absences that ~~((his))~~ the position will be declared vacant if ~~((he))~~ the commissioner is absent without being excused from the next regularly scheduled meeting.

NEW SECTION. Sec. 3. There is added to chapter 52.14 RCW a new section to read as follows:

Insofar as practicable, purchases and any public works by the district shall be based on competitive bids. A formal sealed bid procedure shall be used as standard procedure for purchases and contracts for purchases executed by the board of commissioners. Formal sealed bidding shall not be required for:

(1) Emergency purchases if the sealed bidding procedure would prevent or hinder the emergency from being addressed appropriately. The term emergency means an occurrence that creates an immediate threat to life or property;

(2) The purchase of any materials, supplies, or equipment if the cost will not exceed the sum of ten thousand dollars;

(3) Contracting for work to be done involving the construction or improvement of a fire station or other buildings where the estimated cost will not exceed the sum of two thousand five hundred dollars, which includes the costs of labor, material, and equipment;

(4) Purchases which are clearly and legitimately limited to a single source of supply, or services, in which instances the purchase price may be best established by direct negotiation: PROVIDED, That this subsection shall not apply to purchases or contracts relating to public works as defined in chapter 39.04 RCW; and

(5) Purchases of insurance and bonds.

NEW SECTION. Sec. 4. There is added to chapter 52.14 RCW a new section to read as follows:

(1) Notice of the call for bids shall be given by posting notice in three public places in the district and by publication once each week for two consecutive weeks. The posting and first publication shall be at least two weeks before the date fixed for opening of the bids, and the publication shall be in a newspaper of general circulation within the district. If no bid is received on the first call, the commissioners may readvertise and make a second call, or may enter into a contract without a further call.

(2) A public work involving three or more specialty contractors requires that the district retain the services of a general contractor as defined in RCW 18.27.010.

NEW SECTION, Sec. 5. Section 1, chapter 176, Laws of 1953, section 2, chapter 101, Laws of 1972 ex. sess., section 161, chapter 3, Laws of 1983 and RCW 52.12.110 are each repealed."

On page 1, on line 1 of the title, after "districts;" strike the remainder of the title and insert "amending section 20, chapter 34, Laws of 1939 as last amended by section 48, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.08.030; amending section 26, chapter 34, Laws of 1939 as last amended by section 1, chapter 64, Laws of 1977 and RCW 52.12.050; adding new sections to chapter 52.14 RCW; and repealing section 1, chapter 176, Laws of 1953, section 2, chapter 101, Laws of 1972 ex. sess., section 161, chapter 3, Laws of 1983 and RCW 52.12.110."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd and Van Dyken.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4650 Prime Sponsor, Senator Thompson: Modifying provisions relating to burning permits issued by fire protection districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 25 beginning with "If" strike all the material down to and including "resolution" on page 2, line 1 and insert "(If) The commissioners of ~~((such))~~ a district ~~((desire to assume the privilege of issuing such fire permits, they shall))~~ may adopt a resolution ~~((to that effect, and publish it))~~ authorizing the district to issue fire permits and establishing the terms and conditions under which the permit shall be issued. Notice of the resolution shall be published"

On page 3, line 2 beginning with "There" strike all the material down to and including "Sec. 7." on line 7.

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Chandler, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd and Van Dyken.

Absent: Representatives Todd and Van Luven.

Passed to Committee on Rules for second reading.

February 21, 1984

ESSB 4653 Prime Sponsor, Committee on Social & Health Services: Protecting children including revising the laws regulating the Washington council for the prevention of child abuse and neglect. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

"Sec. 1. Section 2, chapter 4, Laws of 1982 and RCW 43.121.020 are each amended to read as follows:

(1) There is established in the executive office of the governor a Washington council ((on)) for the prevention of child abuse and neglect subject to the jurisdiction of the governor. As used in this chapter, "council" means the Washington council ((on)) for the prevention of child abuse and neglect.

(2) The council shall be composed of the chairperson and ten other members as follows:

(a) The chairperson and four other members shall be appointed by the governor and shall be selected for their interest and expertise in the prevention of child abuse. A minimum of four designees by the governor shall not be affiliated with governmental agencies. A minimum of two of the designees shall reside east of the Cascade mountain range. Members appointed by the governor shall serve for two-year terms, except that the chairperson and two other members designated by the governor shall initially serve for three years. Vacancies shall be filled for any unexpired term by appointment in the same manner as the original appointments were made.

(b) The secretary of social and health services or the secretary's designee and the superintendent of public instruction or the superintendent's designee shall serve as voting members of the council.

(c) In addition to the members of the council, four members of the legislature shall serve as nonvoting, ex officio members of the council, one from each political caucus of the house of representatives to be appointed by the speaker of the house of representatives and one from each political caucus of the senate to be appointed by the president of the senate.

Sec. 2. Section 9, chapter 4, Laws of 1982 and RCW 43.121.090 are each amended to read as follows:

The council shall report (~~(before the regular session of the legislature in 1983)~~ annually) to the governor and to the legislature concerning the council's activities and the effectiveness of those activities in fostering the prevention of child abuse and neglect.

Sec. 3. Section 10, chapter 4, Laws of 1982 and RCW 43.121.100 are each amended to read as follows:

The council may accept contributions, grants, or gifts in cash or otherwise from persons, associations, or corporations. All moneys received by the council or any employee thereof from contributions, grants, or gifts and not through appropriation by the legislature shall be deposited in a depository approved by the state treasurer to be known as the children's trust fund. Disbursements of such funds shall be on the authorization of the council or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control, such funds shall be subject in all respects to chapter 43.88 RCW, but no appropriation shall be required to permit expenditure of such funds.

Sec. 4. Section 36.18.010, chapter 4, Laws of 1963 as last amended by section 7, chapter 15, Laws of 1982 1st ex. sess. 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))~~ 1988, 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. 5. There is added to chapter 43.131 RCW a new section to read as follows:

The Washington council for the prevention of child abuse and neglect and its powers and duties shall be terminated on June 30, 1988, as provided in section 6 of this act.

NEW SECTION. Sec. 6. There is added to chapter 43.131 RCW a new section to read as follows:

The following acts or parts of acts as now existing or hereafter amended, are each repealed effective June 30, 1989:

- (1) Section 1, chapter 4, Laws of 1982 and RCW 43.121.010;
- (2) Section 2, chapter 4, Laws of 1982, section 1 of this act and RCW 43.121.020;
- (3) Section 3, chapter 4, Laws of 1982 and RCW 43.121.030;
- (4) Section 4, chapter 4, Laws of 1982 and RCW 43.121.040;
- (5) Section 5, chapter 4, Laws of 1982 and RCW 43.121.050;
- (6) Section 6, chapter 4, Laws of 1982 and RCW 43.121.060;
- (7) Section 7, chapter 4, Laws of 1982 and RCW 43.121.070;
- (8) Section 8, chapter 4, Laws of 1982 and RCW 43.121.080;
- (9) Section 9, chapter 4, Laws of 1982, section 2 of this act and RCW 43.121.090;
- (10) Section 10, chapter 4, Laws of 1982, section 3 of this act and RCW 43.121.100; and
- (11) Section 15, chapter 4, Laws of 1982 and RCW 43.121.910.

NEW SECTION. Sec. 7. Section 11, chapter 4, Laws of 1982 and RCW 43.121.900 are each repealed.

NEW SECTION. Sec. 8. 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, after "children;" strike the remainder of the title and insert "amending section 2, chapter 4, Laws of 1982 and RCW 43.121.020; amending section 9, chapter 4, Laws of 1982 and RCW 43.121.090; amending section 10, chapter 4, Laws of 1982 and RCW 43.121.100; "amending section 2, chapter 4, Laws of 1982 and RCW 43.121.020; amending section 9, chapter 4, Laws of 1982 and RCW 43.121.090; amending section 10, chapter 4, Laws of 1982 and RCW 43.121.100; amending section 36.18.010, chapter 4, Laws of 1963 as last amended by section 7, chapter 15, Laws of 1982 1st ex. sess. and RCW 36.18.010; adding new sections to chapter 43.131 RCW; repealing section 1, chapter 4, Laws of 1982 and RCW 43.121.010; repealing section 2, chapter 4, Laws of 1982, section 1 of this act and RCW 43.121.020; repealing section 3, chapter 4, Laws of 1982 and RCW 43.121.030; repealing section 4, chapter 4, Laws of 1982 and RCW 43.121.040; repealing section 5, chapter 4, Laws of 1982 and RCW 43.121.050; repealing section 6, chapter 4, Laws of 1982 and RCW 43.121.060; repealing section 7, chapter 4, Laws of 1982 and RCW 43.121.070; repealing section 8, chapter 4, Laws of 1982 and RCW 43.121.080; repealing section 9, chapter 4, Laws of 1982, section 2 of this act and RCW 43.121.090; repealing section 10, chapter 4, Laws of 1982, section 3 of this act and RCW 43.121.100; repealing section 15, chapter 4, Laws of 1982 and RCW 43.121.910; repealing section 11, chapter 4, Laws of 1982 and RCW 43.121.900; and providing an expiration date."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representative J. King.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4668 Prime Sponsor, Senator Vognild: Establishing the Washington State University small business development center. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Tilly, Van Dyken, Walk and B. Williams.

Absent: Representatives Kaiser, Niemi, Tilly and Wilson.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 4708 Prime Sponsor, Committee on Social & Health Services: Modifying methods of determining costs of operating state institutions. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 141, Laws of 1967 as amended by section 238, chapter 141, Laws of 1979 and RCW 72.33.660 are each amended to read as follows:

The charges for care, support and treatment as provided in RCW 72.33.655 shall be based on the rates established for the purpose of receiving federal reimbursement for the same services. For those services for which there is no applicable federal reimbursement-related rate, charges shall be based on the average ((monthly)) per capita costs, adjusted for inflation, of operating ((such)) each of the state residential schools for the previous ((calendar)) reporting year taking into consideration all expenses of institutional operation, maintenance and repair, salaries and wages, equipment and supplies: PROVIDED, That all expenses directly related to the cost of education (~~(v~~ocational training and capital construction)) for persons under the age of twenty-two years shall be excluded from the computation of the average per capita cost. ((The average per capita cost shall be computed by the department of social and health services annually and adopted as a)) The department shall establish rates on a per capita basis and promulgate those rates or the methodology used in computing costs and establishing rates as rules of the department in accordance with ((the provisions of chapter 42.32 RCW and of)) chapter 34.04 RCW. The department ((of social and health services)) shall be charged with the duty of collection of ((such)) charges incurred under RCW 72.33.650 through 72.33.700, which may be enforced by civil action instituted by the attorney general within or without the state."

On page 1, beginning on line 2 of the title, after "institutions;" strike the remainder of the title and insert "and amending section 3, chapter 141, Laws of 1967 as amended by section 238, chapter 141, Laws of 1979 and RCW 72.33.660."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representative J. King.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4731 Prime Sponsor, Senator Bottiger: Providing membership in the retirement system to otherwise eligible persons enrolled in volunteer firemen's relief and pensions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Fiske.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House was adjourned until 1:00 p.m., Thursday, February 23, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTY-SIXTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, February 23, 1984.

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives R. King, Van Dyken and Vekich, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Courtney Rubens and Todd Slind. Prayer was offered by The Reverend Peter Mans, Minister of the Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the Chair.

MESSAGES FROM THE SENATE

February 22, 1984

Mr. Speaker:

The President has signed:

- SUBSTITUTE HOUSE BILL NO. 145,
- SUBSTITUTE HOUSE BILL NO. 827,
- SUBSTITUTE HOUSE BILL NO. 1118,
- HOUSE BILL NO. 1120,
- HOUSE BILL NO. 1128,
- HOUSE BILL NO. 1147,
- HOUSE BILL NO. 1166,
- HOUSE BILL NO. 1192,
- SUBSTITUTE HOUSE BILL NO. 1210,
- SUBSTITUTE HOUSE BILL NO. 1302,
- SUBSTITUTE HOUSE BILL NO. 1334,
- SUBSTITUTE HOUSE BILL NO. 1390,
- HOUSE BILL NO. 1416,
- HOUSE JOINT MEMORIAL NO. 30,
- HOUSE CONCURRENT RESOLUTION NO. 34,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 22, 1984

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 699,
- HOUSE BILL NO. 1121,
- SUBSTITUTE HOUSE BILL NO. 1179,
- SUBSTITUTE HOUSE BILL NO. 1207,
- SUBSTITUTE HOUSE BILL NO. 1270,
- ENGROSSED HOUSE BILL NO. 1361,
- SUBSTITUTE HOUSE BILL NO. 1407,
- SUBSTITUTE HOUSE BILL NO. 1668,
- SUBSTITUTE HOUSE BILL NO. 1698,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

- SUBSTITUTE HOUSE BILL NO. 699,
- HOUSE BILL NO. 1121,
- SUBSTITUTE HOUSE BILL NO. 1179,
- SUBSTITUTE HOUSE BILL NO. 1207,

SUBSTITUTE HOUSE BILL NO. 1270.
 HOUSE BILL NO. 1361.
 SUBSTITUTE HOUSE BILL NO. 1407.
 SUBSTITUTE HOUSE BILL NO. 1668.
 SUBSTITUTE HOUSE BILL NO. 1698.

INTRODUCTION AND FIRST READING

HCR 43 by Representatives Rust and Ballard

Establishing joint committee to formulate legislation for recreational needs.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

February 22, 1984

HB 1196 Prime Sponsor, Representative Braddock: Prohibiting excise taxation of interstate and foreign commerce. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor and Vander Stoep.

Voting nay: Representative Appelwick.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

February 22, 1984

HB 1231 Prime Sponsor, Representative Belcher: Modifying provisions relating to aquatic lands. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill by the Committee on Ways & Means be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor and Vander Stoep.

Voting nay: Representatives Bond and G. Nelson.

Absent: Representatives Brekke and Tilly.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 3059 Prime Sponsor, Senator Lee: Providing for pets in nursing homes and public housing for the elderly. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the senior citizens of this state, particularly those living in low-income public housing or in nursing homes, often lead lonely and harsh lives. The legislature recognizes that the warmth and companionship provided by pets can significantly improve the quality of senior citizens' lives. This legislation is intended to insure that senior citizens and persons in nursing homes will not be deprived of access to pets.

NEW SECTION. Sec. 2. There is added to chapter 18.51 RCW a new section to read as follows:

(1) A nursing home licensee shall give each patient a reasonable opportunity to have regular contact with animals. The licensee may permit appropriate animals to live in the facilities and may permit appropriate animals to visit if the animals are properly supervised.

(2) The department shall adopt rules for the care, type, and maintenance of animals in nursing home facilities."

On page 1, line 1 of the title, after "disabled;" strike the remainder of the title and insert "adding a new section to chapter 18.51 RCW; and creating a new section."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Brodack, Broback, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representative J. King.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 3064 Prime Sponsor, Committee on Commerce & Labor: Regulating taxicab companies. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds and declares that privately operated taxicab transportation service is a vital part of the transportation system within the state and provides demand-responsive services to state residents, tourists, and out-of-state business people. Consequently, the safety, reliability, and economic viability and stability of privately operated taxicab transportation service are matters of state-wide importance. The regulation of privately operated taxicab transportation services is thus an essential governmental function. Therefore, it is the intent of the legislature to permit political subdivisions of the state to regulate taxicab transportation services without liability under federal antitrust laws, even if the effect is anticompetitive.

NEW SECTION, Sec. 2. To protect the public health, safety, and welfare, cities, towns, counties, and port districts of the state may license, control, and regulate privately operated taxicab transportation services operating within their respective jurisdictions, even if the effect is anticompetitive. The power to regulate includes:

- (1) Regulating entry into the business of providing taxicab transportation services;
- (2) Requiring a license to be purchased as a condition of operating a taxicab and the right to revoke, cancel, or refuse to reissue a license for failure to comply with regulatory requirements;
- (3) Controlling the rates charged for providing taxicab transportation service and the manner in which rates are calculated and collected, including the establishment of zones as the basis for rates;
- (4) Regulating the routes of taxicabs, including restricting access to airports;
- (5) Establishing safety, equipment, and insurance requirements; and
- (6) Any other requirements adopted to ensure safe and reliable taxicab service.

NEW SECTION, Sec. 3. A city, town, county, or port district may enter into cooperative agreements with any other city, town, county, or port district for the joint regulation of taxicabs. Cooperative agreements may provide for, but are not limited to, the granting, revocation, and suspension of joint taxicab licenses.

NEW SECTION, Sec. 4. Sections 1 through 3 of this act shall be added to Title 81 RCW."

In line 1 of the title, after "taxicab companies;" strike the remainder of the title and insert "and creating a new chapter in Title 81 RCW."

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Fisch, Fisher, Gallagher, Garrett, Locke, McMullen, Mitchell, Patrick, Prince, Schmidt, C. Smith, J. Williams, Wilson and Zellinsky.

Absent: Representatives Clayton, Hankins, Van Luven and Vekich.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 3178 Prime Sponsor, Committee on Local Government: Authorizing the late payment of taxes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020 are each amended to read as follows:

The county treasurer shall be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. All taxes upon real and personal property made payable by the provisions of this title shall be due and payable to the treasurer as aforesaid on or before the thirtieth day of April and shall be delinquent after that date: PROVIDED, That when the total amount of tax on personal property or on any lot, block or tract of real property payable by one person is ten dollars or more, and if one-half of such tax be paid on or before the said thirtieth day of April, the remainder of such tax shall be due and payable on or before the

thirty-first day of October following and shall be delinquent after that date: PROVIDED FURTHER, That when the total amount of tax on any lot, block or tract of real property payable by one person is ten dollars or more, and if one-half of such tax be paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of such tax, the remainder of such tax shall be due and payable on or before the thirty-first day of October following and shall be delinquent after that date.

Delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis from the date of delinquency until paid. Interest shall be calculated at the rate in effect at the time of payment of the tax, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(1) A penalty of three percent shall be assessed on the amount of tax delinquent on May 31st of the year in which the tax is due.

(2) An additional penalty of eight percent shall be assessed on the total amount of tax delinquent on November 30th of the year in which the tax is due.

(3) Penalties under this section shall not be assessed on taxes that were first delinquent prior to 1982.

For purposes of this chapter, 'interest' means both interest and penalties.

All collections of interest on delinquent taxes shall be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, shall, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and shall be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations.

NEW SECTION. Sec. 2. The purpose of sections 3 through 6 of this act is to clarify requirements necessary for voters to authorize certain local governments to impose regular property tax levies for a series of years. Sections 3 through 9 of this act only clarify the existing law to avoid credence being given to an erroneous opinion that has been rendered by the attorney general. As cogently expressed in Attorney General Opinion, Number 14, Addendum, opinions rendered by the attorney general are advisory only and are merely a 'prediction of the outcome if the matter were to be litigated.' Nevertheless, confusion has arisen from this erroneous opinion.

NEW SECTION. Sec. 3. There is added to chapter 29.30 RCW a new section to read as follows:

The ballot proposition authorizing a taxing district to impose the regular property tax levies authorized in RCW 36.69.145, 67.38.130, or 84.52.069 shall contain in substance the following:

'Shall the (insert the name of the taxing district) be authorized to impose regular property tax levies of (insert the maximum rate) or less per thousand dollars of assessed valuation for each of (insert the maximum number of years allowable) consecutive years?

Yes.....('

No('

Each voter shall indicate either 'Yes' or 'No' on his or her ballot in accordance with the procedures established under this title.

Sec. 4. Section 13, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.130 are each amended to read as follows:

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 ~~(levy)~~ levies 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)~~ when specifically authorized so to do by a majority of at least three-fifths of the electors thereof ~~(voting on the)~~ approving a proposition authorizing the levies submitted at a general or special election, 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 percentum of the total votes cast in such taxing district in the last preceding general election. Ballot propositions shall conform with section 3 of this 1984 act.

In the event a cultural arts, stadium and convention ~~(districts are)~~ district is levying property taxes, which in combination with property taxes levied by other taxing districts ~~(result in taxes in excess of)~~ subject to the one percent limitation provided for in Article VII, section 2, of our state Constitution result in taxes in excess of the limitation provided for in RCW 84.52.043, 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.

(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 RCW 67.38.110 and may include a sum sufficient to create a sinking fund for the redemption of all outstanding bonds.

Sec. 5. Section 1, chapter 200, Laws of 1979 ex. sess. and RCW 84.52.069 are each amended to read as follows:

(1) As used in this section, 'taxing district' means a county, emergency medical service district, city or town, public hospital district, or fire protection district.

(2) A taxing district may impose ~~((an))~~ additional regular property tax ~~((levy))~~ levies in an amount equal to twenty-five cents or less per thousand dollars of the assessed value of property in the taxing district in each year for six consecutive years~~((. This six-year levy must be approved))~~ when specifically authorized so to do by a majority of at least three-fifths of the electors thereof ~~((voting on the))~~ approving a proposition authorizing the levies submitted at a general or special election, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in 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 on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election. Ballot propositions shall conform with section 3 of this 1984 act.

(3) Any tax imposed under this section shall be used only for the provision of emergency medical care or emergency medical services, including related personnel costs, training for such personnel, and related equipment, supplies, vehicles and structures needed for the provision of emergency medical care or emergency medical services.

(4) If a county levies a tax under this section, no taxing district within the county may levy a tax under this section. No other taxing district may levy a tax under this section if another taxing district has levied a tax under this section within its boundaries: PROVIDED, That if a taxing district within a county levies this tax, and the voters of the county subsequently approve a levying of this tax, then the tax levy for emergency medical services shall cease being levied in the taxing district originally levying it and shall be replaced with the county-wide levy. Whenever a tax is levied county-wide, the service shall, insofar as is feasible, be provided throughout the county: PROVIDED FURTHER, That no county-wide levy proposal may be placed on the ballot without the approval of the legislative authority of each city exceeding fifty thousand population within the county: PROVIDED FURTHER, That this section and RCW 36.32.480 shall not prohibit any city or town from levying an annual excess levy to fund emergency medical services.

(5) The tax levy authorized in this section is in addition to the tax levy authorized in RCW 84.52.043.

(6) The limitation in RCW 84.55.010 shall not apply to the first levy imposed pursuant to this section following the approval of such levy by the voters pursuant to subsection (2) of this section.

Sec. 6. Section 18, chapter 210, Laws of 1981 and RCW 36.69.145 are each amended to read as follows:

(1) A park and recreation district may impose ((a)) regular property tax ((levy)) levies in an amount equal to fifteen cents or less per thousand dollars of assessed value of property in the district in each year for five consecutive years when specifically authorized so to do by a majority of at least three-fifths of the voters thereof ((voting on the)) approving a proposition ((to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in the twelve month period; either)) authorizing the levies submitted at a special election or at the regular election of the district, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition if the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election. A proposition authorizing the

tax levies shall not be submitted by a park and recreation district more than twice in any twelve-month period. Ballot propositions shall conform with section 3 of this 1984 act. In the event a park and recreation ((districts are)) district is levying property taxes, which in combination with property taxes levied by other taxing districts ((result in taxes in excess of)) subject to the one percent limitation provided for in Article 7, section ((1+2)) 2, of our state Constitution result in taxes in excess of the limitation provided for in RCW 84.52.043, the park and recreation district property tax levy shall be reduced or eliminated before the property tax levies of other taxing districts are reduced.

(2) The limitation in RCW 84.55.010 shall not apply to the first levy imposed under this section following the approval of the levies by the voters under subsection (1) of this section.

Sec. 7. Section 9, chapter 218, Laws of 1963 as last amended by section 7, chapter 210, Laws of 1981 and RCW 36.68.480 are each amended to read as follows:

If the petition or resolution initiating the formation of the proposed park and recreation service area proposes that the initial ((improvements of services)) capital or operational costs are to be financed by regular property tax levies for a six-year period as authorized by section 9 of this 1984 act, or an annual excess levy, or that proposed capital costs are to be financed by the issuance of general obligation bonds and bond retirement levies, a ((special election)) proposition or propositions for ((that)) such purpose or purposes shall be ((conducted)) submitted to the voters of the proposed service area at the same election ((within the boundaries of the proposed service area)). A proposition or propositions for regular property tax levies for a six-year period as authorized by section 9 of this 1984 act, an annual excess levy, or the issuance of general obligation bonds and bond retirement levies, may also be submitted to the voters at any general or special election.

Sec. 8. Section 13, chapter 218, Laws of 1963 as last amended by section 83, chapter 167, Laws of 1983 and RCW 36.68.520 are each amended to read as follows:

(1) A park and recreation service area shall ((not have power to levy an annual authorized levy, but it shall)) have the power to levy ((a tax)) an annual excess levy upon the property included within the service area if authorized at a special election called for the purpose in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.052. ((The special voted)) This excess levy may be either for operating fund or for capital outlay, or for a cumulative reserve fund.

(2) A service area may 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 the taxable property within the district, and may provide for the retirement thereof by levies in excess of dollar rate in accordance with the provisions of Article VII, section 2 of the Constitution and RCW 84.52.056: PROVIDED, That such districts may issue bonds equal to two and one-half percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36.015, when such bonds are approved by the voters of the district at a special election called for the purpose. Such bonds may be in any form, including coupon bonds or registered bonds as provided in RCW 39.46.030.

(3) Notwithstanding subsection (2) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

NEW SECTION. Sec. 9. There is added to chapter 36.68 RCW a new section to read as follows:

A park and recreation service area may impose regular property tax levies in an amount equal to fifteen cents or less per thousand dollars of assessed value of property in the service area in each year for six consecutive years when specifically authorized so to do by a majority of at least three-fifths of the voters thereof approving a proposition authorizing the levies submitted not more than twelve months prior to the date on which the proposed initial levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of the service area, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty percent of the total votes cast in the service area at the last preceding general election when the number of electors voting on the proposition does not exceed forty percent of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition if the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election. A proposition authorizing such tax levies shall not be submitted by a park and recreation district more than twice in any twelve-month period. Ballot propositions shall conform with section 3 of this act. If a park and recreation service area is levying property taxes, which in combination with property taxes levied by other taxing districts result in taxes in excess of the nine-dollar and fifteen cents per thousand dollars of assessed valuation limitation provided for in RCW 84.52.043, the park and recreation service area property tax levy shall be reduced or eliminated before the property tax levies of other taxing districts are reduced.

NEW SECTION. Sec. 10. Section 271, chapter 167, Laws of 1983 is repealed.

NEW SECTION. Sec. 11. There is added to chapter 84.36 RCW a new section to read as follows:

All conservation futures on agricultural lands acquired pursuant to RCW 64.04.130 or 84.34.200 through 84.34.240, that are held by any nonprofit corporation or association, the primary purpose of which is conserving agricultural lands and preventing the conversion of such lands to nonagricultural uses, shall be exempt from ad valorem taxation if:

(1) The conservation futures are of an unlimited duration;

(2) The conservation futures are effectively restricted to preclude nonagricultural uses on such agricultural land; and

(3) The lands are classified as farm and agricultural lands under chapter 84.34 RCW: PROVIDED, That at such time as these property interests are not used for the purposes enumerated in RCW 84.34.210 and 64.04.130 the additional tax specified in RCW 84.34.108(3) shall be imposed.

NEW SECTION. Sec. 12. Section 1 of this act applies to taxes payable in 1985 and thereafter."

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020; amending section 13, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.130; amending section 1, chapter 200, Laws of 1979 ex. sess. and RCW 84.52.069; amending section 18, chapter 210, Laws of 1981 and RCW 36.69.145; amending section 9, chapter 218, Laws of 1963 as last amended by section 7, chapter 210, Laws of 1981 and RCW 36.68.480; amending section 13, chapter 218, Laws of 1963 as last amended by section 83, chapter 167, Laws of 1983 and RCW 36.68.520; adding a new section to chapter 29.30 RCW; adding a new section to chapter 36.68 RCW; adding a new section to chapter 84.36 RCW; creating new sections; and repealing section 271, chapter 167, Laws of 1983."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Allen, Ballard, Broback, Brough, Charnley, Ebersole, Egger, Garrett, Grimm, Hine, Isaacson, Smitherman, Todd and Van Dyken.

Absent: Representatives Chandler, Grimm and Van Luven.

Passed to Committee on Rules for second reading.

February 23, 1984

SSB 3287 Prime Sponsor, Committee on Ways & Means: Establishing grace period for certain employees to reestablish pension benefits. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Addison, Appelwick, Ellis, Heck, Hine, J. King, Kreidler, Monohon, G. Nelson, Sayan, Smitherman, Struthers, Taylor and Vander Stoep.

Voting nay: Representatives Sommers, Vice Chair; Bond, Braddock, Brekke, Cantu, Fiske, Hastings, McClure, Rust, Sanders and Tilly.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 3740 Prime Sponsor, Committee on Transportation: Defining liability for hazardous materials incidents. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 4, chapter 172, Laws of 1982 and RCW 70.136.030 are each amended to read as follows:

The governing body of each applicable political subdivision of this state ((shall)) may designate a hazardous materials incident command agency within its respective boundaries, and file this designation with the director of the state department of emergency services or its successor agency. In designating an incident command agency, the political subdivision shall consider the training, manpower, expertise, and equipment of various available agencies as well as the Uniform Fire Code and other existing codes and regulations. Along state and interstate highway corridors, the Washington state patrol shall be the designated incident command agency unless by mutual agreement that role has been assumed by another designated incident command agency. ~~((If a political subdivision has not designated an incident command agency within six months after April 1, 1982, the chief of the Washington state patrol shall be so notified by that political subdivision. The Washington state patrol shall then assume the role of incident command agency until a designation is made.))~~

Sec. 2. Section 5, chapter 172, Laws of 1982 and RCW 70.136.050 are each amended to read as follows:

Any person who, in good faith, renders emergency care, assistance, or advice with respect to a hazardous materials incident is not liable for civil damages resulting from any act or omission in the rendering of such care, assistance, or advice, other than acts or omissions constituting gross negligence or wilful or wanton misconduct, if:

(1) The political subdivision has designated a hazardous materials incident command agency (~~as required in RCW 70.136.036~~); and

(2) The designated incident command agency and the person whose assistance is requested have entered into a written hazardous materials assistance agreement prior to the incident which incorporates the terms and conditions of RCW 70.136.060, except as specified in RCW 70.136.070;

(3) The request for assistance comes from the designated incident command agency.

NEW SECTION, Sec. 3. There is added to chapter 4.24 RCW a new section to read as follows:

(1) Any person transporting hazardous materials shall clean up any hazardous materials incident that occurs during transportation, and shall take such additional action as may be reasonably necessary after consultation with the designated incident command agency in order to achieve compliance with all applicable federal and state laws and regulations.

Any person responsible for causing the hazardous materials incident, other than operating employees of a transportation company, is liable to the state or any political subdivision thereof for extraordinary costs incurred by the state or the political subdivision in the course of protecting the public from actual or threatened harm resulting from the hazardous materials incident.

(2) 'Extraordinary costs' as used in this section means those reasonable and necessary costs incurred by a governmental entity in the course of protecting life and property that exceed the normal and usual expenses anticipated for police and fire protection, emergency services, and public works. These shall include, but not be limited to, overtime for public employees, unusual fuel consumption requirements, any loss or damage to publicly owned equipment, and the purchase or lease of any special equipment or services required to protect the public during the hazardous materials incident."

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Betzoff, Burns, Charnley, Fisch, Fisher, Gallagher, Garrett, Locke, McMullen, Mitchell, C. Smith and Vekich.

Voting nay: Representatives Hankins, Patrick, Powers, Prince, Schmidt, Van Luven and Zellinsky.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

February 20, 1984

ESSB 3800 Prime Sponsor, Committee on Natural Resources: Modifying provisions relating to fishing licenses. Reported by Committee on Rules

Referred from Rules to Committee on Ways & Means.

February 21, 1984

2SSB 3815 Prime Sponsor, Committee on Ways & Means: Establishing financial responsibility for persons in city and county jails. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments: Beginning on page 3, after line 32 strike all of section 10 and renumber the remaining section consecutively.

On page 1, line 3 of the title strike "making an appropriation."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Voting nay: Representative Struthers.

Absent: Representative Fiske.

Passed to Committee on Rules for second reading.

February 21, 1984

ESSB 4055 Prime Sponsor, Committee on Transportation: Authorizing bonds for highway construction in Grant county. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10 after "there" strike "shall be" and insert "is authorized to be"

On page 1, line 12 after "Washington." insert "Such bonds shall be sold upon request of Grant county as evidenced by a resolution of the Grant county board of commissioners."

Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Absent: Representatives Clayton, Prince, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4275 Prime Sponsor, Senator Shinpoch: Changing provisions concerning the teachers' retirement. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23 after "compensation" strike "and" and insert "on the basis of the latest valuation prepared by the state actuary, and shall include a percentage contribution of the total earnable compensation, to be known as the 'normal contribution' and an additional percentage contribution of such earnable compensation, to be known as the 'unfunded liability contribution.' The director"

On page 1, line 27 after "1964." insert "The legislature shall appropriate to the superintendent of public instruction the full amount recommended by the state actuary for the employer contribution rates for state funded certificated staff."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Hastings, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond, Fiske and Heck.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 4288 Prime Sponsor, Committee on Transportation: Restricting a limitation on rural arterial funds. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Barrett, Betzoff, Burns, Fisch, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, C. Smith, Vekich, Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Charnley and Schmidt.

Voting nay: Representatives Sutherland, Vice Chair; Charnley, Fisher, Powers and Schmidt.

Absent: Representatives Clayton, Hankins, Mitchell, Prince, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 21, 1984

ESSB 4302 Prime Sponsor, Committee on Social & Health Services: Modifying the practice of pharmacy. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 98, Laws of 1935 as last amended by section 17, chapter 338, Laws of 1981 and RCW 18.64.001 are each amended to read as follows:

There shall be a state board of pharmacy consisting of ~~((five))~~ seven members, to be appointed by the governor by and with the advice and consent of the senate. ~~((Four))~~ Five of the members shall be designated as pharmacist members and ~~((one))~~ two of the members shall be designated a public member.

Each pharmacist member shall be a citizen of the United States and a resident of this state, and at the time of his appointment shall have been a duly registered pharmacist under the

laws of this state for a period of at least five consecutive years immediately preceding his appointment and shall at all times during his incumbency continue to be a duly licensed pharmacist: PROVIDED, That subject to the availability of qualified candidates the governor shall appoint pharmacist members representative of the areas of practice and geographically representative of the state of Washington.

The public member shall be a citizen of the United States and a resident of this state. The public member shall be appointed from the public at large, but shall not be affiliated with any aspect of pharmacy.

Members of the board shall hold office for a term of four years, and the terms shall be staggered so that the terms of office of not more than two members will expire simultaneously on the third Monday in January of each year.

No person who has been appointed to and served for two four year terms shall be eligible for appointment to the board.

Each member shall qualify by taking the usual oath of a state officer, which shall be filed with the secretary of state, and each member shall hold office for the term of his appointment and until his successor is appointed and qualified.

In case of the resignation or disqualification of a member, or a vacancy occurring from any cause, the governor shall appoint a successor for the unexpired term.

Sec. 2, Section 3, chapter 98, Laws of 1935 as last amended by section 21, chapter 67, Laws of 1981 and RCW 18.64.005 are each amended to read as follows:

The board shall:

(1) Regulate the practice of pharmacy and administer and enforce all laws placed under its jurisdiction;

(2) Prepare, grade, and administer or determine the nature of, and supervise the grading and administration of, examinations for applicants for pharmacists' licenses;

(3) Examine, inspect, and investigate all applicants for license as pharmacists or pharmacy interns and grant licenses to all applicants whom it shall judge to be properly qualified;

(4) ~~(Determine the fees for licenses and examinations)~~ Establish reasonable fees for licenses, examinations, and services for other agencies sufficient to cover the cost of the operations of the board. In cases where there are unanticipated demands for services the board may request payment for services directly from the agencies for whom the services are performed, to the extent that revenues or other funds are available. Drug-related investigations regarding licensed health care practitioners shall be funded by an appropriation to the board from the health professions account. The payment may be made on either an advance or a reimbursable basis as approved by the director of financial management;

(5) Employ an executive officer, inspectors, investigators, chemists, and other agents as necessary to assist it for any purpose which it may deem necessary;

(6) Investigate violations of the provisions of law or regulations under its jurisdiction, and cause prosecutions to be instituted in the courts;

(7) Make inspections and investigations of pharmacies and other places, including dispensing machines, in which drugs or devices are stored, held, compounded, dispensed, sold, or administered to the ultimate consumer, to take and analyze any drugs or devices and to seize and condemn any drugs or devices which are adulterated, misbranded, stored, held, dispensed, distributed, administered, or compounded in violation of or contrary to law;

(8) Conduct hearings for the revocation or suspension of licenses, permits, registrations, certificates, or any other authority to practice granted by the board, which hearings may also be conducted by an administrative law judge appointed under chapter 34.12 RCW;

(9) Issue subpoenas and administer oaths in connection with any investigation, hearing, or disciplinary proceeding held under this chapter or any other chapter assigned to the board;

(10) Assist the regularly constituted enforcement agencies of this state in enforcing all laws pertaining to drugs, controlled substances, and the practice of pharmacy, and/or any other laws or rules under its jurisdiction;

(11) Promulgate rules for the dispensing, distribution, wholesaling, and manufacturing of drugs and devices and the practice of pharmacy for the protection and promotion of the public health, safety, and welfare. Violation of any such rules shall constitute grounds for refusal, suspension, or revocation of licenses or any other authority to practice issued by the board;

(12) Adopt rules establishing and governing continuing education requirements for pharmacists and other licensees applying for renewal of licenses under this chapter; ~~((and))~~

(13) Be immune, collectively and individually, from suit in any action, civil or criminal, based upon any disciplinary proceedings or other official acts performed in good faith as members of such board. Such immunity shall apply to employees of the board when acting at the direction of the board in the course of disciplinary proceedings;

(14) Establish an interdepartmental coordinating committee on drug misuse, diversion, and abuse, composed of one member from each caucus of the house of representatives and senate, the superintendent of public instruction, the director of licensing, the executive secretary of the criminal justice training commission, the chief of the Washington state patrol, the secretary of social and health services, director of the traffic safety commission, representatives of prescribing, delivering, and dispensing health care practitioner boards, the attorney general, the

director of the department of labor and industries, a representative of local law enforcement agencies, and the executive officer of the board of pharmacy, or their designees. The committee shall meet at least twice annually at the call of the executive officer of the board of pharmacy who shall serve as chairperson of the committee. The committee shall advise the board of pharmacy in all matters related to its powers and duties delineated in subsections (15), (16), (17), (18) and (19) of this section, and shall report to the legislature each biennium on the results of its and the board's activity under those subsections;

(15) Provide for the coordination and exchange of information on state programs relating to drug misuse, diversion, and abuse, and act as a permanent liaison among the departments and agencies engaged in activities concerning the legal and illegal use of drugs;

(16) Suggest strategies for preventing, reducing, and eliminating drug misuse, diversion, and abuse, including professional and public education, and treatment of persons misusing and abusing drugs;

(17) Conduct or encourage educational programs to be conducted to prevent the misuse, diversion, and abuse of drugs for health care practitioners and licensed or certified health care facilities;

(18) Monitor trends of drug misuse, diversion, and abuse and make periodic reports to disciplinary boards of licensed health care practitioners and education, treatment, and appropriate law enforcement agencies regarding these trends;

(19) Enter into written agreements with all other state and federal agencies with any responsibility for controlling drug misuse, diversion, or abuse and with health maintenance organizations, health care service contractors, and health care providers to assist and promote coordination of agencies responsible for ensuring compliance with controlled substances laws and to monitor observance of these laws and cooperation between these agencies. The department of social and health services, the department of labor and industries, the department of licensing, and any other state agency including licensure disciplinary boards, shall refer all apparent instances of over-prescribing by practitioners and all apparent instances of legend drug overuse to the board. The board shall also encourage such referral by health maintenance organizations, health service contractors, and health care providers.

Sec. 3, Section 1, chapter 38, Laws of 1963 as last amended by section 29, chapter 182, Laws of 1982 and RCW 18.64.011 are each amended to read as follows:

Unless the context clearly requires otherwise, definitions of terms shall be as indicated when used in this chapter.

(1) 'Person' means an individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(2) 'Board' means the Washington state board of pharmacy.

(3) 'Drugs' means:

(a) Articles recognized in the official United States pharmacopoeia or the official homeopathic pharmacopoeia of the United States;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of man or other animals; or

(d) Substances intended for use as a component of any substances specified in (a), (b), or (c) of this subsection, but not including devices or their component parts or accessories.

(4) 'Device' means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended (a) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals, or (b) to affect the structure or any function of the body of man or other animals.

(5) 'Nonlegend' or 'nonprescription' drugs means any drugs which may be lawfully sold without a prescription.

(6) 'Legend drugs' means any drugs which are required by any applicable federal or state law or regulation to be dispensed on prescription only or are restricted to use by practitioners only.

(7) 'Controlled substance' means a drug or substance, or an immediate precursor of such drug or substance, so designated under or pursuant to the provisions of chapter 69.50 RCW.

(8) 'Prescription' means an order for drugs or devices issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe drugs or devices in the course of his or her professional practice for a legitimate medical purpose.

(9) 'Practitioner' means a physician, dentist, veterinarian, nurse, or other person duly authorized by law or rule in the state of Washington to prescribe drugs.

(10) 'Pharmacist' means a person duly licensed by the Washington state board of pharmacy to engage in the practice of pharmacy.

(11) 'Practice of pharmacy' includes the practice of and responsibility for: interpreting prescription orders; the compounding, dispensing, labeling, administering, and distributing of drugs and devices; the monitoring of drug therapy and use; the initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and

approved for his or her practice by a practitioner authorized to prescribe drugs; the participating in drug utilization reviews and drug product selection; the proper and safe storing and distributing of drugs and devices and maintenance of proper records thereof; the providing of information on legend drugs which may include, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices.

(12) 'Pharmacy' means every place properly licensed by the board of pharmacy where the practice of pharmacy is conducted.

(13) The words 'drug' and 'devices' shall not include surgical or dental instruments or laboratory materials, gas and oxygen, therapy equipment, X-ray apparatus or therapeutic equipment, their component parts or accessories, or equipment, instruments, apparatus, or contrivances used to render such articles effective in medical, surgical, or dental treatment, or for use or consumption in or for mechanical, industrial, manufacturing, or scientific applications or purposes, nor shall the word 'drug' include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended, nor medicated feed intended for and used exclusively as a feed for animals other than man.

(14) The word 'poison' shall not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended.

(15) 'Deliver' or 'delivery' means the actual, constructive, or attempted transfer from one person to another of a drug or device, whether or not there is an agency relationship.

(16) 'Dispense' means ((to deliver a drug or device to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, and includes the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery)) the interpretation of a prescription or order for a drug, biological, or device and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

~~((16))~~ (17) 'Distribute' means the delivery of a drug or device other than by administering or dispensing.

~~((17))~~ (18) 'Compounding' shall be the act of combining two or more ingredients in the preparation of a prescription.

~~((18))~~ (19) 'Wholesaler' shall mean a corporation, individual, or other entity which buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

~~((19))~~ (20) 'Manufacture' means the production, preparation, propagation, compounding, or processing of a drug or other substance or device or the packaging or repackaging of such substance or device, or the labeling or relabeling of the commercial container of such substance or device, but does not include the activities of a practitioner who, as an incident to his or her administration or dispensing such substance or device in the course of his or her professional practice, prepares, compounds, packages, or labels such substance or device.

~~((20))~~ (21) 'Manufacturer' shall mean a person, corporation, or other entity engaged in the manufacture of drugs or devices.

~~((21))~~ (22) 'Labeling' shall mean the process of preparing and affixing a label to any drug or device container. The label must include all information required by current federal and state law and pharmacy rules.

~~((22))~~ (23) 'Administer' means the direct application of a drug or device, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject.

~~((23))~~ (24) 'Master license system' means the mechanism established by chapter 19.02 RCW by which master licenses, endorsed for individual state-issued licenses, are issued and renewed utilizing a master application and a master license expiration date common to each renewable license endorsement.

Sec. 4. Section 12, chapter 213, Laws of 1909 as last amended by section 8, chapter 90, Laws of 1979 and RCW 18.64.043 are each amended to read as follows:

(1) The owner of each pharmacy shall pay an original license fee to be determined by the board, and annually thereafter, on or before a date to be determined by the board, a fee to be determined by the board, for which he or she shall receive a license of location, which shall entitle the owner to operate such pharmacy at the location specified, or such other temporary location as the board may approve, for the ~~((year))~~ period ending on a date to be determined by the board, and each such owner shall at the time of filing proof of payment of such fee as provided in RCW 18.64.045 as now or hereafter amended, file with the state board of pharmacy on a blank therefor provided, a declaration of ownership and location, which declaration of ownership and location so filed as aforesaid shall be deemed presumptive evidence of ownership of the pharmacy mentioned therein.

(2) It shall be the duty of the owner to immediately notify the board of any change of location and/or ownership and to keep the license of location or the renewal thereof properly exhibited in said pharmacy.

(3) Failure to comply with this section shall be deemed a misdemeanor, and each day that said failure continues shall be deemed a separate offense.

(4) In the event such license fee remains unpaid for sixty days from date due, no renewal or new license shall be issued except upon payment of the license renewal fee and a penalty fee equal to the original license fee.

Sec. 5. Section 17, chapter 90, Laws of 1979 as amended by section 30, chapter 182, Laws of 1982 and RCW 18.64.044 are each amended to read as follows:

(1) A shopkeeper (~~(licensed)~~) registered as provided in this section may sell nonprescription drugs, if such drugs are sold in the original package of the manufacturer.

(2) Every shopkeeper not a licensed pharmacist, desiring to secure the benefits and privileges of this section, is hereby required to (~~(secure)~~) register as a (~~(shopkeeper's license through the master license system)~~) shopkeeper, and he or she shall pay the fee determined by the board for (~~(the same)~~) registration, and (~~(annually)~~) on a date to be determined by the board thereafter the fee determined by the board for renewal of the (~~(same)~~) registration; and shall at all times keep said (~~(license)~~) registration or the current renewal thereof conspicuously exposed in the shop to which it applies. In event such shopkeeper's (~~(license)~~) registration is not renewed by the (~~(master license)~~) expiration date, no renewal or new (~~(license)~~) registration shall be issued except upon payment of the (~~(license)~~) registration renewal fee (~~(and the master license delinquency fee under chapter 19.02 RCW-PROVIDED: That every shopkeeper with six or fewer drugs shall pay a fee to be determined by the board)~~). This (~~(license)~~) registration fee shall not authorize the sale of legend drugs or controlled substances.

(3) Any shopkeeper who shall vend or sell, or offer to sell to the public any such nonprescription drug or preparation without having (~~(a license)~~) registered to do so as provided in this section, shall be guilty of a misdemeanor and each sale or offer to sell shall constitute a separate offense.

Sec. 6. Section 5, chapter 153, Laws of 1949 as last amended by section 9, chapter 90, Laws of 1979 and RCW 18.64.045 are each amended to read as follows:

The owner of each and every place of business which manufactures drugs shall pay a license fee to be determined by the board, and (~~(annually)~~) thereafter, on or before a date to be determined by the board, a fee to be determined by the board, for which the owner shall receive a license of location from the state board of pharmacy, which shall entitle the owner to manufacture drugs at the location specified for the (~~(year)~~) period ending on a date to be determined by the board, and each such owner shall at the time of payment of such fee file with the state board of pharmacy, on a blank therefor provided, a declaration of ownership and location, which declaration of ownership and location so filed as aforesaid shall be deemed presumptive evidence of the ownership of such place of business mentioned therein. It shall be the duty of the owner to notify immediately the board of any change of location and/or ownership and to keep the license of location or the renewal thereof properly exhibited in such place of business. Failure to conform with this section shall be deemed a misdemeanor, and each day that said failure continues shall be deemed a separate offense. In event such license fee remains unpaid for sixty days from date due, no renewal or new license shall be issued except upon payment of the license renewal fee and a penalty fee equal to the license renewal fee.

Sec. 7. Section 18, chapter 90, Laws of 1979 and RCW 18.64.046 are each amended to read as follows:

The owner of each place of business which sells legend drugs and nonprescription drugs, or nonprescription drugs at wholesale shall pay a license fee to be determined by the board, and (~~(annually)~~) thereafter, on or before a date to be determined by the board, a like fee to be determined by the board, for which the owner shall receive a license of location from the state board of pharmacy, which shall entitle such owner to either sell legend drugs and nonprescription drugs or nonprescription drugs at wholesale at the location specified for the (~~(year)~~) period ending on a date to be determined by the board, and each such owner shall at the time of payment of such fee file with the state board of pharmacy, on a blank therefor provided, a declaration of ownership and location, which declaration of ownership and location so filed as aforesaid shall be deemed presumptive evidence of the ownership of such place of business mentioned therein. It shall be the duty of the owner to notify immediately the board of any change of location and ownership and to keep the license of location or the renewal thereof properly exhibited in such place of business. Failure to conform with this section shall be deemed a misdemeanor, and each day that said failure continues shall be deemed a separate offense. In event such license fee remains unpaid for sixty days from date due, no renewal or new license shall be issued except upon payment of the license renewal fee and a penalty fee equal to the license renewal fee.

Sec. 8. Section 16, chapter 121, Laws of 1899 as last amended by section 10, chapter 90, Laws of 1979 and RCW 18.64.047 are each amended to read as follows:

Any itinerant vendor or any peddler of any nonprescription drug or preparation for the treatment of disease or injury, shall pay a (~~(license)~~) registration fee determined by the board (~~(annually)~~) on a date to be determined by the board. The state board of pharmacy may issue a (~~(license)~~) registration to such vendor on an approved application made to the state board of pharmacy. Any itinerant vendor or peddler who shall vend or sell, or offer to sell to the public any such nonprescription drug or preparation without having (~~(a license)~~) registered to do so

as provided in this section, shall be guilty of a misdemeanor and each sale or offer to sell shall constitute a separate offense. In event such ~~((license))~~ registration fee remains unpaid for sixty days from date due, no renewal or new ~~((license))~~ registration shall be issued except upon payment of the ~~((license))~~ registration renewal fee and a penalty fee equal to the ~~((license))~~ renewal fee. This ~~((license))~~ registration shall not authorize the sale of legend drugs or controlled substances.

Sec. 9. Section 9, chapter 98, Laws of 1935 as amended by section 6, chapter 38, Laws of 1963 and RCW 18.64.050 are each amended to read as follows:

In the event that a license or certificate issued by the board of pharmacy is lost or destroyed, the person to whom it was issued may obtain a duplicate thereof upon furnishing proof of such fact satisfactory to the board of pharmacy and the payment of a fee ~~((of five dollars to))~~ determined by the board of pharmacy.

In the event any person desires any certified document to which he is entitled, he shall receive the same upon payment of a fee ~~((of five dollars))~~ determined by the board of pharmacy.

Sec. 10. Section 1, chapter 9, Laws of 1972 ex. sess. as last amended by section 1, chapter 147, Laws of 1981 and RCW 18.64.080 are each amended to read as follows:

(1) The state board of pharmacy may license as a pharmacist any person who has filed an application therefor, subscribed by the person under oath or affirmation, containing such information as the board may by regulation require, and who—

(a) Is at least eighteen years of age and is a citizen of the United States, an alien in an educational pharmacy graduate or residency program for the period of the program, or a resident alien;

(b) Has satisfied the board that he or she is of good moral and professional character, that he or she will carry out the duties and responsibilities required of a pharmacist, and that he or she is not unfit or unable to practice pharmacy by reason of the extent or manner of his or her proven use of alcoholic beverages, drugs, or controlled substances, or by reason of a proven physical or mental disability;

(c) Holds a baccalaureate degree in pharmacy or a doctor of pharmacy degree granted by a school or college of pharmacy which is accredited by the board of pharmacy;

(d) Has completed or has otherwise met the internship requirements as set forth in board rules;

(e) Has satisfactorily passed the necessary examinations given by the board.

(2) The state board of pharmacy shall, at least once in every calendar year, offer an examination to all applicants for a pharmacist license who have completed their educational and internship requirements pursuant to rules promulgated by the board. The said examination shall be determined by the board. In case of failure at a first examination, the applicant shall have within three years the privilege of a second and third examination. In case of failure in a third examination, the applicant shall not be eligible for further examination until he or she has satisfactorily completed additional preparation as directed and approved by the board. The applicant must pay the examination fee determined by the board for each examination taken. Upon passing the required examinations and complying with all the rules and regulations of the board and the provisions of this chapter, the board shall grant the applicant a license as a pharmacist and issue to him or her a certificate qualifying him or her to enter into the practice of pharmacy.

(3) Any person enrolled as a student of pharmacy in an accredited college may file with the state board of pharmacy an application for registration as a pharmacy intern in which said application he or she shall be required to furnish such information as the board may, by regulation, prescribe and, simultaneously with the filing of said application, shall pay to the board a fee to be determined by the board. All certificates issued to pharmacy interns shall be valid for a period to be determined by the board, but in no instance shall the certificate be valid if the individual is no longer making timely progress toward graduation, provided however, the board may issue an intern certificate to a person to complete an internship to be eligible for initial licensure or for the reinstatement of a previously licensed pharmacist.

(4) To assure adequate practical instruction, pharmacy internship experience as required under this chapter shall be obtained after registration as a pharmacy intern by practice in any licensed pharmacy or other program meeting the requirements promulgated by regulation of the board, and shall include such instruction in the practice of pharmacy as the board by regulation shall prescribe.

(5) The board may, without examination other than one in the laws relating to the practice of pharmacy, license as a pharmacist any person who, at the time of filing application therefor, is ~~((and, for at least one year next preceding, has been))~~ currently licensed as a pharmacist in any other state, territory, or possession of the United States: PROVIDED, That the said person shall produce evidence satisfactory to the board of having had the required secondary and professional education and training and who was licensed as a pharmacist by examination in another state prior to June 13, 1963, shall be required to satisfy only the requirements which

existed in this state at the time he or she became licensed in such other state: PROVIDED FURTHER, That the state in which said person is licensed shall under similar conditions grant reciprocal licenses as pharmacist without examination to pharmacists duly licensed by examination in this state. Every application under this subsection shall be accompanied by a fee determined by the board.

(6) The board shall provide for, regulate, and require all persons licensed as pharmacists to renew their license (~~(annually)~~) periodically, and shall prescribe the form of such license and information required to be submitted by all applicants.

Sec. 11. Section 11, chapter 121, Laws of 1899 as last amended by section 12, chapter 90, Laws of 1979 and RCW 18.64.140 are each amended to read as follows:

Every licensed pharmacist who desires to practice pharmacy shall secure from the board a license, the fee for which shall be determined by the board. The (~~(annual)~~) renewal fee shall also be determined by the board. The date of renewal may be established by the board by regulation and the board may by regulation extend the duration of a licensing period for the purpose of staggering renewal periods. Such regulation may provide a method for imposing and collecting such additional proportional fee as may be required for the extended period. Payment of this fee shall entitle the licensee to a pharmacy law book, subsequent current mailings of all additions, changes, or deletions in the pharmacy practice act, chapter 18.64 RCW, and all additions, changes, or deletions of pharmacy board regulations. Pharmacists shall pay the license renewal fee and a penalty equal to the license renewal fee for the late renewal of their license more than sixty days after the renewal is due. The current license shall be conspicuously displayed to the public in the pharmacy to which it applies. Any licensed pharmacist who desires to leave the active practice of pharmacy in this state may secure from the board an inactive license. The initial license and renewal fees shall be determined by the board. The holder of an inactive license may reactivate his or her license to practice pharmacy in accordance with rules adopted by the board.

Sec. 12. Section 10, chapter 213, Laws of 1909 as last amended by section 13, chapter 90, Laws of 1979 and RCW 18.64.160 are each amended to read as follows:

The board of pharmacy shall have the power to refuse, suspend, or revoke the license of any pharmacist or intern upon proof that:

- (1) His or her license was procured through fraud, misrepresentation, or deceit;
- (2) He or she has been convicted of a felony relating to his or her practice as a pharmacist;
- (3) He or she has committed any act involving moral turpitude, dishonesty, or corruption, if the act committed directly relates to the pharmacist's fitness to practice pharmacy. Upon such conviction, however, the judgment and sentence shall be conclusive evidence at the ensuing disciplinary hearing of the guilt of the respondent pharmacist of the crime described in the indictment or information, and of his or her violation of the statute upon which it is based;
- (4) He or she is unfit to practice pharmacy because of habitual intemperance in the use of alcoholic beverages, drugs, controlled substances, or any other substance which impairs the performance of professional duties;

~~(5) (In the event that a pharmacist is determined by a court of competent jurisdiction to be mentally incompetent, such pharmacist shall automatically have his or her license suspended by the board upon the entry of such judgment, regardless of the pendency of an appeal.)~~ He or she exhibits behavior which may be due to physical or mental impairment, which creates an undue risk of causing harm to him or herself or to other persons when acting as a licensed pharmacist or intern;

~~(6) He or she has incompetently or negligently practiced pharmacy, creating an unreasonable risk of harm to any individual;~~

~~((6))~~ (7) His or her legal authority to practice pharmacy, issued by any other properly constituted licensing authority of any other state, has been and is currently suspended or revoked;

~~(8) In the event that a pharmacist is determined by a court of competent jurisdiction to be mentally incompetent, the pharmacist shall automatically have his or her license suspended by the board upon the entry of the judgment, regardless of the pendency of an appeal;~~

~~((7))~~ (9) He or she has knowingly violated or permitted the violation of any provision of any state or federal law, rule, or regulation governing the possession, use, distribution, or dispensing of drugs, including, but not limited to, the violation of any provision of this chapter, chapter 18.81 RCW, Title 69 RCW, or rule or regulation of the board;

~~((6))~~ (10) He or she has knowingly allowed any unlicensed person to take charge of a pharmacy or engage in the practice of pharmacy, except a pharmacy intern or pharmacy assistant acting as authorized in this chapter or chapter 18.64A RCW in the presence of and under the immediate supervision of a licensed pharmacist;

~~((9))~~ (11) He or she has compounded, dispensed, or caused the compounding or dispensing of any drug or device which contains more or less than the equivalent quantity of ingredient or ingredients specified by the person who prescribed such drug or device: PROVIDED, HOWEVER, That nothing herein shall be construed to prevent the pharmacist from exercising professional judgment in the preparation or providing of such drugs or devices.

In any case of the refusal, suspension, or revocation of a license by said board of pharmacy under the provisions of this chapter, said board shall proceed in accordance with chapter 34.04 RCW.

Sec. 13. Section 2, chapter 28, Laws of 1939 as amended by section 1, chapter 99, Laws of 1971 ex. sess. and RCW 18.64.246 are each amended to read as follows:

To every box, bottle, jar, tube or other container of a prescription which is dispensed there shall be fixed a label bearing the name and address of the pharmacy wherein the prescription is compounded, the corresponding serial number of the prescription, the name of the prescriber, his directions, the name of the medicine and the strength per unit dose, name of patient, date, the expiration date, and initials of the ~~((registered))~~ licensed pharmacist who has compounded the prescription, and the security of the cover or cap on every bottle or jar shall meet safety standards promulgated by the state board of pharmacy: PROVIDED, That at the physician's request, the name and dosage of the drug need not be shown. If the prescription is for a combination drug product, the generic names of the drugs combined or the trade name used by the manufacturer or distributor for the product shall be noted on the label. This section shall not apply to the dispensing of medicines to in-patients in hospitals.

Sec. 14. Section 19, chapter 90, Laws of 1979 as amended by section 3, chapter 147, Laws of 1981 and RCW 18.64.255 are each amended to read as follows:

Nothing in this chapter shall operate in any manner:

(1) To restrict the scope of authorized practice of any practitioner other than a pharmacist, duly licensed as such under the laws of this state; or

(2) In the absence of the pharmacist from the hospital pharmacy, to prohibit a registered nurse designated by the hospital and the responsible pharmacist from obtaining from the hospital pharmacy such drugs as are needed in an emergency: PROVIDED, That proper record is kept of such emergency, including the date, time, name of prescriber, the name of the nurse obtaining the drugs, and a list of what drugs and quantities of same were obtained; or

(3) To prevent shopkeepers, itinerant vendors, peddlers, or salesmen from dealing in and selling nonprescription drugs, if such drugs are sold in the original packages of the manufacturer, or in packages put up by a licensed pharmacist in the manner provided by the state board of pharmacy, if such shopkeeper, itinerant vendor, salesman, or peddler shall have obtained a ~~((license))~~ registration.

Sec. 15. Section 3, chapter 223, Laws of 1982 and RCW 43.131.249 are each amended to read as follows:

The board of pharmacy and its powers and duties shall be terminated on June 30, ~~((1984))~~ 1990, as provided in RCW 43.131.250.

Sec. 16. Section 7, chapter 223, Laws of 1982 and RCW 43.131.250 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~((1985))~~ 1991:

(1) Section 1, chapter 98, Laws of 1935, section 16, chapter 38, Laws of 1963, section 1, chapter 18, Laws of 1973 1st ex. sess., section 17, chapter 338, Laws of 1981, section 1 of this 1984 act and RCW 18.64.001;

(2) Section 2, chapter 98, Laws of 1935, section 17, chapter 38, Laws of 1963, section 40, chapter 34, Laws of 1975-76 2nd ex. sess., section 1, chapter 90, Laws of 1979 and RCW 18.64.003;

(3) Section 3, chapter 98, Laws of 1935, section 18, chapter 38, Laws of 1963, section 2, chapter 18, Laws of 1973 1st ex. sess., section 2, chapter 90, Laws of 1979, section 21, chapter 67, Laws of 1981, section 2 of this 1984 act and RCW 18.64.005;

(4) Section 19, chapter 38, Laws of 1963, section 3, chapter 90, Laws of 1979 and RCW 18.64.007; and

(5) Section 1, chapter 82, Laws of 1969 ex. sess., section 4, chapter 90, Laws of 1979 and RCW 18.64.009.

Sec. 17. Section 1, chapter 186, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 71, Laws of 1980 and RCW 69.41.010 are each amended to read as follows:

As used in this chapter:

(1) 'Administer' means the direct application of a legend drug whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

(a) A practitioner; or

(b) The patient or research subject at the direction of the practitioner.

(2) 'Deliver' or 'delivery' means the actual, constructive, or attempted transfer from one person to another of a legend drug, whether or not there is an agency relationship.

(3) 'Dispense' means ~~((to deliver a legend drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery))~~ the interpretation of a prescription or order for a legend drug and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(4) 'Dispenser' means a practitioner who dispenses.

(5) 'Distribute' means to deliver other than by administering or dispensing a legend drug.

(6) 'Distributor' means a person who distributes.

(7) 'Drug' means:

(a) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals;

(c) Substances (other than food, minerals or vitamins) intended to affect the structure or any function of the body of man or animals; and

(d) Substances intended for use as a component of any article specified in clause (a), (b), or (c) of this subsection. It does not include devices or their components, parts, or accessories.

(8) 'Legend drugs' means any drugs which are required by state law or regulation of the state board of pharmacy to be dispensed on prescription only or are restricted to use by practitioners only.

(9) 'Person' means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(10) 'Practitioner' means:

(a) A physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a podiatrist under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a registered nurse under chapter 18.88 RCW, a licensed practical nurse under chapter 18.78 RCW, an osteopathic physician's assistant under chapter 18.57A RCW, or a physician's assistant under chapter 18.71A RCW, or a pharmacist under chapter 18.64 RCW;

(b) A pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or to administer a legend drug in the course of professional practice or research in this state; and

(c) A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathy and surgery in any state, or province of Canada, which shares a common border with the state of Washington.

Sec. 18. Section 69.50.101, chapter 308, Laws of 1971 ex. sess. as last amended by section 2, chapter 71, Laws of 1980 and RCW 69.50.101 are each amended to read as follows:

As used in this chapter:

(a) 'Administer' means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

(1) a practitioner, or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) 'Agent' means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman.

(c) 'Bureau' means the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice, or its successor agency.

(d) 'Controlled substance' means a drug, substance, or immediate precursor in Schedules I through V of Article II.

(e) 'Counterfeit substance' means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(f) 'Deliver' or 'delivery' means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(g) 'Dispense' means ~~(to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery)~~ the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(h) 'Dispenser' means a practitioner who dispenses.

(i) 'Distribute' means to deliver other than by administering or dispensing a controlled substance.

(j) 'Distributor' means a person who distributes.

(k) 'Drug' means (1) substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any supplement to any of them; (2) substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure or any function of the body of man or animals; and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(l) 'Immediate precursor' means a substance which the state board of pharmacy has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.

(m) 'Manufacture' means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging, or labeling of a controlled substance:

(1) by a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice, or

(2) by a practitioner, or by his authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(n) 'Marihuana' means all parts of the plant of the genus *Cannabis* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(o) 'Narcotic drug' means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause 1, but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(p) 'Opiate' means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

(q) 'Opium poppy' means the plant of the genus *Papaver* L., except its seeds, capable of producing an opiate.

(r) 'Person' means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(s) 'Poppy straw' means all parts, except the seeds, of the opium poppy, after mowing.

(t) 'Practitioner' means:

(1) A physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a chiroprapist under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a registered nurse under chapter 18.88 RCW, a licensed practical nurse under chapter 18.78 RCW, a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathy and surgery in any state which shares a common border with the state of Washington.

(u) 'Production' includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance.

(v) 'State', when applied to a part of the United States, includes any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(w) 'Ultimate user' means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household.

(x) 'Board' means the state board of pharmacy.

(y) 'Executive officer' means the executive officer of the state board of pharmacy.

NEW SECTION. Sec. 19. The department of social and health services shall examine the need for civil commitment procedures or other treatment system improvements for drug abusers, and report its findings and any specific legislative recommendations to the 1985 legislature. The department's determination of the need for action should include an assessment of the current operation and adequacy of the civil commitment program for alcoholics. It should consider the steps necessary to modify that or other treatment or treatment-financing mechanisms or legal processes to insure effective treatment for drug abusers.

In addition, the department shall report to the 1985 legislature its plans, in connection with the superintendent of public instruction, for a school and community based drug abuse and misuse prevention education program.

NEW SECTION. Sec. 20. There is added to chapter 69.50 RCW a new section to read as follows:

Any licensed health care practitioner with prescription or dispensing authority shall, as a condition of licensure and as directed by the practitioner's disciplinary board, consent to the requirement, if imposed, of complying with a triplicate prescription form program as may be established by rule by the department of licensing.

NEW SECTION. Sec. 21. There is added to chapter 69.50 RCW a new section to read as follows:

The license of any licensed health care practitioner shall be suspended for any violation of this chapter. The suspension shall run concurrently with, and not less than, the term of the sentence for the violation.

NEW SECTION. Sec. 22. The following acts or parts of acts are each repealed:

(1) Section 17, chapter 90, Laws of 1979, section 30, chapter 182, Laws of 1982 and RCW 18.64.044;

(2) Section 16, chapter 121, Laws of 1899, section 7, chapter 98, Laws of 1935, section 3, chapter 153, Laws of 1949, section 5, chapter 38, Laws of 1963, section 4, chapter 201, Laws of 1971 ex. sess., section 10, chapter 90, Laws of 1979 and RCW 18.64.047;

(3) Section 1, chapter 192, Laws of 1939 and RCW 18.81.010;

(4) Section 2, chapter 192, Laws of 1939 and RCW 18.81.020;

(5) Section 5, chapter 192, Laws of 1939 and RCW 18.81.025;

(6) 794 Section 3, chapter 185, Laws of 1971 ex. sess. and RCW 18.81.035;

(7) Section 4, chapter 192, Laws of 1939, section 7, chapter 201, Laws of 1971 ex. sess. and RCW 18.81.040;

(8) Section 8, chapter 192, Laws of 1939 and RCW 18.81.050;

(9) Section 6, chapter 192, Laws of 1939 and RCW 18.81.060;

(10) Section 9, chapter 192, Laws of 1939 and RCW 18.81.065;

(11) Section 10, chapter 192, Laws of 1939 and RCW 18.81.070;

(12) Section 7, chapter 192, Laws of 1939 and RCW 18.81.080; and

(13) Section 11, chapter 192, Laws of 1939 and RCW 18.81.900."

On page 1, line 1 of the title, after "pharmacy;" strike the remainder of the title and insert "amending section 1, chapter 98, Laws of 1935 as last amended by section 17, chapter 338, Laws of 1981 and RCW 18.64.001; amending section 3, chapter 98, Laws of 1935 as last amended by section 21, chapter 67, Laws of 1981 and RCW 18.64.005; amending section 1, chapter 38, Laws of 1963 as last amended by section 29, chapter 182, Laws of 1982 and RCW 18.64.011; amending section 12, chapter 213, Laws of 1909 as last amended by section 8, chapter 90, Laws of 1979 and RCW 18.64.043; amending section 17, chapter 90, Laws of 1979 as amended by section 30, chapter 182, Laws of 1982 and RCW 18.64.044; amending section 5, chapter 153, Laws of 1949 as last amended by section 9, chapter 90, Laws of 1979 and RCW 18.64.045; amending section 18, chapter 90, Laws of 1979 and RCW 18.64.046; amending section 16, chapter 121, Laws of 1899 as last amended by section 10, chapter 90, Laws of 1979 and RCW 18.64.047; amending section 9, chapter 98, Laws of 1935 as amended by section 6, chapter 38, Laws of 1963 and RCW 18.64.050; amending section 1, chapter 9, Laws of 1972 ex. sess. as last amended by section 1, chapter 147, Laws of 1981 and RCW 18.64.080; amending section 11, chapter 121, Laws of 1899 as last amended by section 12, chapter 90, Laws of 1979 and RCW 18.64.140; amending section 10, chapter 213, Laws of 1909 as last amended by section 13, chapter 90, Laws of 1979 and RCW 18.64.160; amending section 2, chapter 28, Laws of 1939 as amended by section 1, chapter 99, Laws of 1971 ex. sess. and RCW 18.64.246; amending section 19, chapter 90, Laws of 1979, as amended by section 3, chapter 147, Laws of 1981 and RCW 18.64.255; amending section 3, chapter 223, Laws of 1982 and RCW 43.131.249; amending section 7, chapter 223, Laws of 1982 and RCW 43.131.250; amending section 1, chapter 186, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 71, Laws of 1980 and RCW 69.41.010; amending section 69.50.101, chapter 308, Laws of 1971 ex. sess. as last amended by section 2,

chapter 71, Laws of 1980 and RCW 69.50.101; adding new sections to chapter 69.50 RCW; creating a new section; repealing section 17, chapter 90, Laws of 1979, section 30, chapter 182, Laws of 1982 and RCW 18.64.044; repealing section 16, chapter 121, Laws of 1899, section 7, chapter 98, Laws of 1935, section 3, chapter 153, Laws of 1949, section 5, chapter 38, Laws of 1963, section 4, chapter 201, Laws of 1971 ex. sess., section 10, chapter 90, Laws of 1979 and RCW 18.64.047; repealing section 1, chapter 192, Laws of 1939 and RCW 18.81.010; repealing section 2, chapter 192, Laws of 1939 and RCW 18.81.020; repealing section 5, chapter 192, Laws of 1939 and RCW 18.81.025; repealing section 3, chapter 185, Laws of 1971 ex. sess. and RCW 18.81.035; repealing section 4, chapter 192, Laws of 1939, section 7, chapter 201, Laws of 1971 ex. sess. and RCW 18.81.040; repealing section 8, chapter 192, Laws of 1939 and RCW 18.81.050; repealing section 6, chapter 192, Laws of 1939 and RCW 18.81.060; repealing section 9, chapter 192, Laws of 1939 and RCW 18.81.065; repealing section 10, chapter 192, Laws of 1939 and RCW 18.81.070; repealing section 7, chapter 192, Laws of 1939 and RCW 18.81.080; repealing section 11, chapter 192, Laws of 1939 and RCW 18.81.900; and prescribing penalties.*

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representative J. King.

Passed to Committee on Rules for second reading.

February 22, 1984

SB 4352 Prime Sponsor, Senator McDermott: Requiring the prosecutor's statement on a convicted criminal to be available upon incarceration. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4362 Prime Sponsor, Committee on Judiciary: Prescribing penalties for attempt to evade open alcohol container restrictions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 28, chapter 165, Laws of 1983 and RCW 46.61.519 are each amended to read as follows:

(1) It is a traffic infraction to drink any alcoholic beverage in a motor vehicle when the vehicle is upon a highway.

(2) It is a traffic infraction for a person to have in his possession while in a motor vehicle upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage if the container has been opened or a seal broken or the contents partially removed.

(3) It is a traffic infraction for the registered owner of a motor vehicle, or the driver if the registered owner is not then present in the vehicle, to keep in a motor vehicle when the vehicle is upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage which has been opened or a seal broken or the contents partially removed, unless the container is kept in the trunk of the vehicle or in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle does not have a trunk. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers.

(4) This section does not apply to a public conveyance that has been commercially chartered for group use or to the living quarters of a motor home or camper or, except as otherwise provided by RCW 66.44.250 or local law, to any passenger for compensation in a for-hire vehicle licensed under city, county, or state law, or to a privately-owned vehicle operated by a person possessing a valid operator's license with a special endorsement issued under RCW 46.20.440 in the course of his usual employment and at the employer's direction: PROVIDED, That nothing in this subsection shall be construed to authorize possession or consumption of an alcoholic beverage by the operator of any vehicle while upon a highway.

NEW SECTION. Sec. 2. There is added to chapter 46.61 RCW a new section to read as follows:

(1) It is a traffic infraction to incorrectly label the original container of an alcoholic beverage and to then violate RCW 46.61.519.

(2) It is a traffic infraction to place an alcoholic beverage in a container specifically labeled by the manufacturer of the container as containing a nonalcoholic beverage and to then violate RCW 46.61.519."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4381 Prime Sponsor, Committee on Judiciary: Revising various election laws. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The purpose of sections 2 through 8 of this act is to provide an orderly and predictable election procedure for filling vacancies in the offices of United States representative and United States senator from this state or any congressional district of this state.

Sec. 2. Section 2, chapter 4, Laws of 1973 as last amended by section 4, chapter 144, Laws of 1977 ex. sess. and RCW 29.13.047 are each amended to read as follows:

(1) Whenever state officers or measures are voted upon at a state primary or general election held in an odd-numbered year (~~as provided for in~~) under RCW 29.13.010, the state of Washington shall assume ~~(its)~~ a prorated share of ~~(such election)~~ the costs of that state primary or general election.

(2) Whenever a primary or vacancy election is held under chapter 29.68 RCW to fill a vacancy in the position of United States senator or United States representative, the state of Washington shall assume a prorated share of the costs of that primary or vacancy election.

(3) The county auditor shall apportion the state's share of ~~(such)~~ these expenses when prorating election costs ~~(as provided)~~ under RCW ~~(29.94.020 and)~~ 29.13.045 and shall file such expense claims with the secretary of state.

(4) The secretary of state shall include in his or her biennial budget requests ~~(a provision for)~~ sufficient funds to carry out ~~(the provisions of)~~ this section. ~~(Payments hereunder)~~ Reimbursements for election costs shall be from appropriations specifically provided for such purpose by law.

Sec. 3. Section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070 are each amended to read as follows:

When a vacancy ~~(happens)~~ occurs in the representation of this state in the senate of the United States, the governor shall make a temporary appointment to that office until the people fill the vacancy by election ~~(at the next ensuing general state election)~~ as provided in this chapter.

Sec. 4. Section 29.68.080, chapter 9, Laws of 1965 as amended by section 3, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.080 are each amended to read as follows:

(1) Whenever ~~(there is)~~ a vacancy ~~(existing by death, resignation, disability or failure to qualify or impending vacancy)~~ occurs in the office of United States representative ~~(in the congress of the United States)~~ or United States senator from this state or any congressional district ~~(in)~~ of this state, the governor shall order a special election to fill the vacancy.

(2) Within ten days of such vacancy occurring, he or she shall ~~(fix as the)~~ issue a writ of election fixing a date for the special vacancy election ~~(a day)~~ not less than ninety days after the issuance of the writ ~~(He shall fix as the)~~, fixing a date for the primary for nominating candidates for the special vacancy election ~~(a day)~~ not less than thirty days before the day fixed for holding the special vacancy election, fixing the dates for the special filing period, and designating the term or part of the term for which the vacancy exists. If the vacancy is in the office of United States representative, the writ of election shall specify the congressional district that is vacant.

(3) If the vacancy occurs ~~(between or on a date)~~ less than six months ~~(prior to)~~ before a state general ~~(state)~~ election and before the second Friday following the close of the filing period for that general election, the special primary and special ~~(general)~~ vacancy elections shall be held in concert with the ~~(regular)~~ state primary and ~~(regular)~~ state general election ~~(s)~~ in that year.

(4) If the vacancy occurs on or after the first day for filing ~~(specified in)~~ under RCW 29.18-.030 and on or before the second Friday following the close of the filing period, a special filing period of three normal business days shall be fixed by the ~~(secretary of state)~~ governor and notice thereof given ~~(by notifying)~~ to all media, including press, radio, and television within the ~~(congressional district concerned)~~ area in which the vacancy election is to be held, to the end that, insofar as possible, all interested persons will be aware of such filing period ~~(PROVIDED, HOWEVER, THAT)~~. The last day of ~~(such)~~ the filing period shall not be ~~(no)~~ later than

the third Tuesday (~~(prior to)~~) before the primary (~~(election concerned. Such)~~) at which candidates are to be nominated. The names of candidates who have filed valid declarations of candidacy (~~(validly filed within said)~~) during this three-day period shall appear on the approaching primary ballot (~~(as if made during the earlier filing period)~~).

(5) If the vacancy (~~(should)~~) occurs later than the second Friday following the close of the filing period, a special primary and special (~~(general)~~) vacancy election to fill (~~(such vacancy)~~) the position shall be held after the (~~(regular annual)~~) next state general election but, in any event, no later than the ninetieth day following the (~~(said)~~) November election.

(6) As used in this chapter, 'county' means, in the case of a vacancy in the office of United States senator, any or all of the counties in the state and, in the case of a vacancy in the office of United States representative, only those counties wholly or partly within the congressional district in which the vacancy has occurred.

Sec. 5. Section 29.68.100, chapter 9, Laws of 1965 as amended by section 5, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.100 are each amended to read as follows:

(~~(Upon)~~) After calling a special primary and special vacancy election to fill a vacancy (~~(or impending vacancy)~~) in the office of United States representative (~~(in the congress of the United States)~~) or United States senator from this state, the governor shall immediately notify the secretary of state who shall, in turn, immediately notify (~~(each)~~) the county auditor of each county wholly or partly within (~~(the district in)~~) which the vacancy exists (~~(or is about to exist)~~).

Each county auditor (~~(in the district)~~) shall publish notices of the special primary and (~~(of)~~) the special vacancy election at least once in any legal newspaper published in the county, as provided by RCW 29.27.030 and 29.27.080 respectively.

Sec. 6. Section 29.68.120, chapter 9, Laws of 1965 as last amended by section 46, chapter 3, Laws of 1983 and RCW 29.68.120 are each amended to read as follows:

(1) The canvass of the votes cast at a special primary (~~(held in relation to a special election)~~) for a United States (~~(congressman)~~) representative or senator shall be (~~(made)~~) completed in each county (~~(within the district)~~) within ten days after the primary (~~(and)~~). The returns (~~(sent)~~) shall be transmitted immediately to the secretary of state, who shall certify (~~(said)~~) the returns in the (~~(same)~~) manner (~~(as)~~) provided by RCW 29.62.100 (~~(and)~~). As soon as possible (~~(thereafter)~~) after the canvass, the secretary of state shall certify the names of the (~~(successful)~~) nominees to the county auditors (~~(of the counties within the district)~~).

(2) The canvass of the votes cast at a special vacancy election for a United States representative or senator shall be completed in each county within fifteen days after the vacancy election. The returns shall be transmitted immediately to the secretary of state, who shall certify the returns in the manner provided in RCW 29.62.120.

Sec. 7. Section 29.68.130, chapter 9, Laws of 1965 and RCW 29.68.130 are each amended to read as follows:

The general election laws and laws relating to partisan primaries shall apply to the special primaries and vacancy elections provided for in RCW 29.68.080 through 29.68.120 (~~(in so far as)~~) to the extent that they are not inconsistent (~~(therewith, and shall be construed with and as a part thereof for the purpose of carrying out the spirit and intent thereof)~~) with the provisions of these sections. Statutory time deadlines relating to availability of absentee ballots, certification, canvassing, and related procedures that cannot be met in a timely fashion may be modified for the purposes of a specific primary or vacancy election under this chapter by the secretary of state through emergency rules adopted under RCW 29.04.080.

Sec. 8. Section 29.80.010, chapter 9, Laws of 1965 as last amended by section 106, chapter 361, Laws of 1977 ex. sess. and RCW 29.80.010 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, as soon as possible (~~(prior to)~~) before each even-year state general election at which federal or state officials are to be elected or any special vacancy election held under chapter 29.68 RCW, the secretary of state shall publish and mail to each individual place of residence (~~(of)~~) in the state a candidates' pamphlet containing photographs and campaign statements of (~~(eligible)~~) nominees for federal or state office who desire to participate (~~(therein and)~~) in this publication. In even-numbered years (~~(containing)~~), a description of the office of precinct committeeman and its duties (~~(in order)~~) shall be included so that voters will understand (~~(that such office is a state)~~) the importance of this office and will be (~~(found)~~) aware that it will appear on the ballot (~~(of)~~) at the forthcoming general election (~~(-PROVIDED-That)~~). In odd-numbered years (~~(no)~~), a candidates' pamphlet shall be published (~~(-unless)~~) only if an election is to be held to fill a vacancy in (~~(one or more of the following)~~) a federal or state-wide elective office (~~(s-United States senator, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, superintendent of public instruction, commissioner of public lands, insurance commissioner, and justice of the supreme court)~~).

(2) If a candidates' pamphlet is published solely for a special vacancy election for filling the office of United States representative, the secretary of state shall mail the pamphlet to each individual place of residence in the congressional district in which the special vacancy election is to be conducted.

Sec. 9. Section 28A.57.322, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.322 are each amended to read as follows:

Every person elected or appointed to the office of school director, before entering upon the discharge of the duties thereof, shall take an oath or affirmation to support the Constitution of the United States and the state of Washington and to faithfully discharge the duties of his office according to the best of his ability. In case any official has a written appointment or commission, his oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officials are hereby authorized to administer all oaths or affirmations pertaining to their respective offices without charge or fee. All oaths of office, when properly made, shall be filed with the (officer with whom declarations of candidacy for such positions are filed) county auditor.

Sec. 10. Section 3, chapter 107, Laws of 1980 and RCW 29.04.040 are each amended to read as follows:

(1) No paper ballot precinct shall contain more than three hundred voters. The county legislative authority may divide, alter, or combine precincts so that, whenever practicable, over populated precincts shall contain no more than two hundred fifty registered voters in anticipation of future growth.

(2) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored: PROVIDED, ((HOWEVER:)) That, except as permitted under subsection (5) of this section, no precinct boundaries shall be changed during the period starting as of the thirtieth day prior to the first day for candidates to file for the primary election and ending with the day of the general election.

(3) Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred registered voters: PROVIDED, That there shall be at least one voting machine or device for each three hundred registered voters or major fraction thereof when a state primary or general election is held in an even-numbered year.

(4) On petition of twenty-five or more voters resident more than ten miles from any place of election, the county legislative authority shall establish a separate voting precinct therefor.

(5) The county auditor shall temporarily adjust precinct boundaries when a city annexes county territory to the city. The adjustment shall be made as soon as possible after the approval of the annexation. The temporary adjustment shall be limited to the minimum changes necessary to accommodate the addition of the territory to the city and shall remain in effect only until precinct boundary modifications reflecting the annexation are adopted by the county legislative authority.

The county legislative authority of each county in the state hereafter formed shall, at their first session, divide their respective counties into election precincts with two hundred fifty voters or less and establish the boundaries of the same; the county auditor shall thereupon designate the voting place for each such precinct.

Sec. 11. Section 29.04.055, chapter 9, Laws of 1965 as last amended by section 5, chapter 361, Laws of 1977 ex. sess. and RCW 29.04.055 are each amended to read as follows:

At any election, general or special, or at any primary, the election authority may combine, unite, or divide precincts and may combine or unite boards of election officials for the purpose of holding such election(~~(- PROVIDED, That in the event such election shall be held upon the day of any state primary or state general election held in an even-numbered year this section shall not apply)~~).

Sec. 12. Section 29.21.060, chapter 9, Laws of 1965 as last amended by section 31, chapter 361, Laws of 1977 ex. sess. and RCW 29.21.060 are each amended to read as follows:

All candidates for offices to be voted on at any election in first, second, and third class cities and fourth class municipalities (towns) shall file declarations of candidacy with the county auditor not earlier than the ((~~last~~)) fourth Monday of July nor later than the next succeeding Friday in the year such regular city elections are held.

All candidates for district offices subject to the provisions of RCW 29.21.010(~~(-as now or hereafter amended:))~~) shall file their declarations of candidacy with the county auditor of the county not earlier than the ((~~last~~)) fourth Monday of July nor later than the next succeeding Friday in the year such regular district elections are held: PROVIDED, That this chapter shall not change the method of nomination for first district officers at the formation of any district.

Any candidate for city, town, or district offices may withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy.

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030 through 29.18.100: PROVIDED, That no filing fee shall be charged in the event that the office sought is without a fixed annual salary.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections, the purpose of this section being to establish a uniform five day period throughout the state of Washington for filing declarations of candidacy.

Sec. 13. Section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060 are each amended to read as follows:

When a proposed constitution or constitutional amendment or other question is to be submitted to the people of the state for state-wide popular vote, the attorney general shall prepare a concise statement posed as a question and not exceeding ~~((twenty))~~ fifty words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon.

Questions to be submitted to the people of a county or municipality shall also be advertised as provided for nominees for office, and in such cases there shall also be printed on the ballot a concise statement posed as a question and not exceeding ~~((twenty words, or))~~ seventy-five words ~~((in the case of a school district tax proposition;))~~ containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon, which statement shall be prepared by the city attorney for the city, and by the prosecuting attorney for the county or any other political subdivision of the state, other than cities, situated in the county.

Such concise statement shall constitute the ballot title. The secretary of state shall certify to the county auditors the ballot title for a proposed constitution, constitutional amendment, or other state-wide question at the same time and in the same manner as the ballot titles to initiatives and referendums.

Sec. 14. Section 35.23.190, chapter 7, Laws of 1965 and RCW 35.23.190 are each amended to read as follows:

Before entering upon his duties and within ten days after receiving notice of his election or appointment every officer of the city shall qualify by taking the oath of office and by filing such bond duly approved as may be required of him. The oath of office shall be filed with the county auditor. If no notice of election or appointment was received, the officer must qualify on or before the date fixed for the assumption by him of the duties of the office to which he was elected or appointed. The city council shall fix the amount of all official bonds and may designate what officers shall be required to give bonds in addition to those required to do so by statute.

The clerk, treasurer, city attorney, chief of police, police judge, and street commissioner shall each execute an official bond in such penal sum as the city council by ordinance may determine, conditioned for the faithful performance of their duties, including in the same bond the duties of all offices of which he is the ex officio incumbent.

All official bonds shall be approved by the city council and when so approved shall be filed with the city clerk except the city clerk's which shall be filed with the mayor. No city officer shall be eligible as a surety upon any bond running to the city as obligee.

The city council may require a new or additional bond of any officer whenever it deems it expedient.

Sec. 15. Section 35.24.080, chapter 7, Laws of 1965 and RCW 35.24.080 are each amended to read as follows:

In a city of the third class, the treasurer, city attorney, clerk, police judge, chief of police, and such other officers as the council may require shall each, before entering upon the duties of his office, take an oath of office and execute and file with the clerk an official bond in such penal sum as the council shall determine, conditioned for the faithful performance of his duties and otherwise conditioned as may be provided by ordinance. The oath of office shall be filed with the county auditor.

Sec. 16. Section 35.27.120, chapter 7, Laws of 1965 and RCW 35.27.120 are each amended to read as follows:

Every officer of a town before entering upon the duties of his office shall take and file with the ~~((town clerk))~~ county auditor his oath of office. The clerk, treasurer, and marshal before entering upon their respective duties shall also each execute a bond approved by the council in such penal sum as the council by ordinance may determine, conditioned for the faithful performance of his duties including in the same bond the duties of all offices of which he is made ex officio incumbent.

All bonds, when approved, shall be filed with the town clerk, except the bonds of the clerk which shall be filed with the mayor.

Sec. 17. Section 35A.12.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.080 are each amended to read as follows:

Any officer before entering upon the performance of his duties may be required to take an oath or affirmation as prescribed by charter or by ordinance for the faithful performance of his duties. The oath or affirmation shall be filed with the county auditor. The clerk, treasurer, if any, chief of police, and such other officers or employees as may be designated by ordinance or by charter shall be required to furnish annually an official bond conditioned on the honest and faithful performance of their official duties. The terms and penalty of official bonds and the surety therefor shall be prescribed by ordinance or charter, and the bond shall be approved by the chief administrative officer of the city. The premiums on such bonds shall be paid by the city. When the furnishing of an official bond is required of an officer or employee, compliance with such provisions shall be an essential part of qualification for office.

Sec. 18. Section 29, chapter 34, Laws of 1939 and RCW 52.12.070 are each amended to read as follows:

Each fire commissioner before beginning the duties of his office shall take and subscribe an official oath for the faithful discharge of the duties of his office, which oath shall be filed in the office of the ~~((clerk of the superior court in))~~ auditor of the county where the district is situated.

Sec. 19. Section 8, chapter 17, Laws of 1959 as last amended by section 1, chapter 11, Laws of 1983 and RCW 53.12.150 are each amended to read as follows:

A vacancy in the office of port commissioner created by death, resignation, or otherwise, shall be filled as follows:

(1) If there are simultaneously such number of vacancies that less than a majority of the full number of commissioners fixed by law remain in office, the legislative authority of the county shall within fifteen days of such vacancies appoint the number of commissioners necessary to provide a majority. The commissioners thus appointed, together with any remaining commissioners, shall then, within ~~((fifteen))~~ sixty days of their appointment, meet and appoint the number of commissioners needed to complete the board of commissioners. However, if they fail to fill the remaining vacancies within this ~~((fifteen))~~ sixty-day period, the legislative authority of the county shall make the necessary appointments.

(2) If a majority of the full number of commissioners fixed by law remains on the board, the remaining commissioners shall fill any vacancies. However, if they fail to fill any vacancy within ~~((fifteen))~~ sixty days of its occurrence, ~~((or within fifteen days after March 10, 1983))~~ the legislative authority of the county shall make the necessary appointment.

(3) ~~((Appointments made pursuant to this section shall be ad interim to the next general election.))~~ A person appointed to fill a vacancy in the office of port commissioner shall continue to serve until a successor is elected and qualified.

Sec. 20. Section 10, chapter 265, Laws of 1959 and RCW 54.12.100 are each amended to read as follows:

Each commissioner before he enters upon the duties of his office shall take and subscribe an oath or affirmation that he will faithfully and impartially discharge the duties of his office to the best of his ability. This oath, or affirmation, shall be administered and certified by an officer of the county in which the district is situated, who is authorized to administer oaths, without charge therefor. The oath or affirmation shall be filed with the county auditor.

Sec. 21. Section 18, chapter 6, Laws of 1947 and RCW 68.16.180 are each amended to read as follows:

Each cemetery commissioner, before assuming the duties of his office, shall take and subscribe an official oath to faithfully discharge the duties of his office, which oath shall be filed in the office of the county ~~((clerk))~~ auditor.

NEW SECTION, Sec. 22. The following acts or parts of acts are each repealed:

(1) Section 95, chapter 361, Laws of 1977 ex. sess. and RCW 29.54.180;

(2) Section 29.68.090, chapter 9, Laws of 1965, section 4, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.090; and

(3) Section 29.68.110, chapter 9, Laws of 1965, section 6, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.110.

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 1 of the title, after "elections;" strike the remainder of the title and insert "amending section 2, chapter 4, Laws of 1973 as last amended by section 4, chapter 144, Laws of 1977 ex. sess. and RCW 29.13.047; amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070; amending section 29.68.080, chapter 9, Laws of 1965 as amended by section 3, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.080; amending section 29.68.100, chapter 9, Laws of 1965 as amended by section 5, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.100; amending section 29.68.120, chapter 9, Laws of 1965 as last amended by section 46, chapter 3, Laws of 1983 and RCW 29.68.120; amending section 29.68.130, chapter 9, Laws of 1965 and RCW 29.68.130; amending section 29.80.010, chapter 9, Laws of 1965 as last amended by section 106, chapter 361, Laws of 1977 ex. sess. and RCW 29.80.010; amending section 28A-57.322, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.322; amending section 3, chapter 107, Laws of 1980 and RCW 29.04.040; amending section 29.04.055, chapter 9, Laws of 1965 as last amended by section 5, chapter 361, Laws of 1977 ex. sess. and RCW 29.04.055; amending section 29.21.060, chapter 9, Laws of 1965 as last amended by section 31, chapter 361, Laws of 1977 ex. sess. and RCW 29.21.060; amending section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060; amending section 35.23.190, chapter 7, Laws of 1965 and RCW 35.23.190; amending section 35.24.080, chapter 7, Laws of 1965 and RCW 35.24.080; amending section 35.27.120, chapter 7, Laws of 1965 and RCW 35.27.120; amending section 35A.12.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.080; amending section 29, chapter 34, Laws of 1939 and RCW 52.12.070; amending section 8, chapter 17, Laws of 1959 as last amended by section 1, chapter 11, Laws of 1983 and RCW 53.12.150; amending section 10, chapter 265, Laws of 1959 and RCW 54.12.100; amending section 18, chapter 6, Laws of 1947 and RCW 68.16.180; creating a new section; repealing section 95, chapter 361, Laws of 1977 ex. sess. and RCW 29.54.180; repealing section 29.68.090, chapter 9,

Laws of 1965, section 4, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.090; and repealing section 29.68.110, chapter 9, Laws of 1965, section 6, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.110."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Fisher, Jacobsen, Long, Miller, Patrick, Schoon, Scott, Sommers, Vander Stoep and Zellinsky.

Absent: Representatives Patrick and Vander Stoep.

Passed to Committee on Rules for second reading.

February 22, 1984

ESSB 4435 Prime Sponsor, Committee on Judiciary: Enacting provisions relating to racketeering. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Unless the context requires the contrary, the definitions in this section apply throughout this chapter.

(1) 'Creditor' means a person making an extension of credit or a person claiming by, under, or through a person making an extension of credit.

(2) 'Debtor' means a person to whom an extension of credit is made or a person who guarantees the repayment of an extension of credit or in any manner undertakes to indemnify the creditor against loss resulting from the failure of a person to whom an extension is made to repay the same.

(3) 'Extortionate extension of credit' means an extension of credit with respect to which it is the understanding of the creditor and the debtor at the time the extension is made that delay in making repayment or failure to make repayment could result in the use of violence or other criminal means to cause harm to the person, reputation, or property of any person.

(4) 'Extortionate means' means the use, or an express or implicit threat of use, of violence or other criminal means to cause harm to the person, reputation, or property of any person.

(5) 'To collect an extension of credit' means to induce in any way a person to make repayment thereof.

(6) 'To extend credit' means to make or renew a loan or to enter into an agreement, tacit or express, whereby the repayment or satisfaction of a debt or claim, whether acknowledged or disputed, valid or invalid, and however arising, may or shall be deferred.

(7) 'Repayment of an extension of credit' means the repayment, satisfaction, or discharge in whole or in part of a debt or claim, acknowledged or disputed, valid or invalid, resulting from or in connection with that extension of credit.

(8) 'Dealer in property' means a person who buys and sells property as a business.

(9) 'Stolen property' means property that has been obtained by theft, robbery, or extortion.

(10) 'Traffic' means to sell, transfer, distribute, dispense, or otherwise dispose of stolen property to another person, or to buy, receive, possess, or obtain control of stolen property, with intent to sell, transfer, distribute, dispense, or otherwise dispose of to another person.

(11) 'Combination' means persons who collaborate in carrying on or furthering the activities or purposes of a criminal syndicate even though the persons may not know each other's identity, or membership in the combination changes from time to time, or one or more members may stand in a wholesaler-retailer or other arm's-length relationship with others as to activities or dealings between or among themselves in an illicit operation.

(12) 'Criminal syndicate' means any combination of persons or enterprises engaging, or having the purpose of engaging, in conduct which violates any one or more provisions of any felony statute of this state.

(13) 'Control' means the possession of a sufficient interest to permit substantial direction over the affairs of an enterprise.

(14) 'Enterprise' includes any individual, sole proprietorship, partnership, corporation, business trust, or other profit or nonprofit legal entity, and includes any union, association, or group of individuals associated in fact although not a legal entity, and both illicit and licit enterprises and governmental and nongovernmental entities.

(15) 'Financial institution' means any bank, trust company, savings and loan association, mutual savings bank, credit union, or loan company under the jurisdiction of the state or an agency of the United States.

(16) 'Racketeering' means any act, including any anticipatory or completed offense committed for financial gain, which is chargeable or indictable under the laws of the state in which the act occurred and, if the act occurred in a state other than this state, would be chargeable or indictable under the laws of this state had the act occurred in this state and punishable as a felony and by imprisonment for more than one year, regardless of whether the act is charged or indicted, involving:

(a) Homicide;

(b) Robbery;

- (c) Kidnapping;
 - (d) Forgery;
 - (e) Theft;
 - (f) Bribery;
 - (g) Gambling;
 - (h) Usury;
 - (i) Extortion;
 - (j) Extortionate extensions of credit;
 - (k) Delivery or manufacture of controlled substances or possession with intent to deliver or manufacture controlled substances under chapter 69.50 RCW;
 - (l) Trafficking in explosives, weapons, or stolen property;
 - (m) Leading organized crime;
 - (n) Obstructing or hindering criminal investigations or prosecutions;
 - (o) Asserting false claims including, not but limited to, false claims asserted through fraud or arson;
 - (p) False statements or publications concerning land for sale or lease or sale of subdivided lands or sale and mortgaging of unsubdivided lands;
 - (q) Resale of realty with intent to defraud;
 - (r) Fraud in the purchase or sale of securities;
 - (s) Sale of unregistered securities or real property securities and transactions involving such securities by unregistered dealers or salespersons;
 - (t) A scheme or artifice to defraud;
 - (u) Obscenity;
 - (v) Child pornography;
 - (w) Prostitution;
 - (x) Arson; or
 - (y) Violence or the threat of violence, or property damage or the threat of property damage occurring during a labor dispute.
- (17) 'Pattern of racketeering activity' requires at least two acts of racketeering activity, one of which occurred after the effective date of this act and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity.
- (18) 'Records' means any book, paper, writing, record, computer program, or other material.
- (19) 'Documentary material' means any book, paper, document, writing, drawing, graph, chart, photograph, phonograph record, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.
- (20) 'Unlawful debt' means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in the state in whole or in part because the debt was incurred or contracted:
- (a) In violation of any one of the following:
 - (i) Chapter 67.16 RCW relating to horse racing;
 - (ii) Chapter 9.46 RCW relating to gambling; or
 - (iii) Chapter 19.52 RCW relating to interest and usury; or
 - (b) In a gambling activity in violation of federal law or in the business of lending money at a rate usurious under federal or state law.
- (21) (a) 'Beneficial interest' means:
- (i) The interest of a person as a beneficiary under a trust established under Title 11 RCW in which the trustee for the trust holds legal or record title to real property;
 - (ii) The interest of a person as a beneficiary under any other trust arrangement under which a trustee holds legal or record title to real property for the benefit of the beneficiary; or
 - (iii) The interest of a person under any other form of express fiduciary arrangement under which one person holds legal or record title to real property for the benefit of the other person.
- (b) 'Beneficial interest' does not include the interest of a stockholder in a corporation or the interest of a partner in a general partnership or limited partnership.
- (c) A beneficial interest shall be considered to be located where the real property owned by the trustee is located.
- (22) 'Real property' means any real property or interest in real property, including but not limited to a land sale contract, lease, or mortgage of real property.
- (23) (a) 'Trustee' means:
- (i) A person acting as a trustee under a trust established under Title 11 RCW in which the trustee holds legal or record title to real property;
 - (ii) A person who holds legal or record title to real property in which another person has a beneficial interest; or
 - (iii) A successor trustee to a person who is a trustee under subsection (23)(a)(i) or (ii) of this section.
- (b) 'Trustee' does not mean a person appointed or acting as:

- (i) A personal representative under Title 11 RCW;
- (ii) A trustee of any testamentary trust; or
- (iii) A trustee of any indenture of trust under which a bond is issued.

NEW SECTION, Sec. 2. (1) A person who knowingly makes an extortionate extension of credit is guilty of a class B felony.

(2) In a prosecution under this section, if it is shown that all of the following factors are present in connection with the extension of credit, there is prima facie evidence that the extension of credit was extortionate:

(a) The repayment of the extension of credit, or the performance of any promise given in consideration thereof, would be unenforceable at the time the extension of credit was made through civil judicial processes against the debtor in the county in which the debtor, if a natural person, resided or in every county in which the debtor, if other than a natural person, was incorporated or qualified to do business.

(b) The extension of credit was made at a rate of interest in excess of an annual rate of forty-five percent calculated according to the actuarial method of allocating payments made on a debt between principal and interest, pursuant to which a payment is applied first to the accumulated interest and the balance is applied to the unpaid principal.

(c) At the time the extension of credit was made, the debtor reasonably believed that either of the following:

(i) One or more extensions of credit by the creditor had been collected or attempted to be collected by extortionate means, or the nonrepayment had been punished by extortionate means.

(ii) The creditor had a reputation for the use of extortionate means to collect extensions of credit or to punish the nonrepayment thereof.

(d) Upon the making of the extension of credit, the total of the extensions of credit by the creditor to the debtor then outstanding, including any unpaid interest or similar charges, exceeded one hundred dollars.

(3) In a prosecution under this section, if evidence has been introduced tending to show the existence of any of the circumstances described in subsection (2)(a) or (b) of this section, and direct evidence of the actual belief of the debtor as to the creditor's collection practices is not available, then for the purpose of showing the understanding of the debtor and the creditor at the time the extension of credit was made, the court may in its discretion allow evidence to be introduced tending to show the reputation as to collection practices of the creditor in any community of which the debtor was a member at the time of the extension.

NEW SECTION, Sec. 3. A person who knowingly advances money or property, whether as a gift, loan, investment, or pursuant to a partnership or profit-sharing agreement or otherwise, to any person, with reasonable grounds to believe that it is the intention of that person to use the money or property so advanced, directly or indirectly, for the purpose of making extortionate extensions of credit, is guilty of a class B felony.

NEW SECTION, Sec. 4. (1) A person who knowingly participates in any way in the use of any extortionate means to collect or attempt to collect any extensions of credit or to punish any person for the nonrepayment thereof, is guilty of a class B felony.

(2) In a prosecution under this section, for the purpose of showing an implicit threat as a means of collection, evidence may be introduced tending to show that one or more extensions of credit by the creditor were, to the knowledge of the person against whom the implicit threat was alleged to have been made, collected or attempted to be collected by extortionate means or that the nonrepayment was punished by extortionate means.

(3) In a prosecution under this section, if evidence has been introduced tending to show the existence at the time the extension of credit in question was made of the circumstances described in section 2(2)(a) or (b) of this act, and direct evidence of the actual belief of the debtor as to the creditor's collection practices is not available, then for the purpose of showing that words or other means of communication, shown to have been employed as a means of collection, in fact carried an express or implicit threat, the court may in its discretion allow evidence to be introduced tending to show the reputation of the defendant in any community of which the person against whom the alleged threat was made was a member at the time of the collection or attempt at collection.

NEW SECTION, Sec. 5. (1) A person who recklessly traffics in stolen property is guilty of trafficking in stolen property in the second degree.

(2) A person who knowingly initiates, organizes, plans, finances, directs, manages, or supervises the theft of property for sale to others, or who knowingly traffics in stolen property, is guilty of trafficking in stolen property in the first degree.

(3) Trafficking in stolen property in the second degree is a class C felony. Trafficking in stolen property in the first degree is a class B felony.

NEW SECTION, Sec. 6. (1) A person commits the offense of leading organized crime by:

(a) Intentionally organizing, managing, directing, supervising, or financing a criminal syndicate; or

(b) Knowingly inciting or inducing others to engage in violence or intimidation to promote or further the objectives of a criminal syndicate.

(2) A person shall not be convicted under this section on the basis of accountability as an accomplice unless the person aids or participates in violating this section in one of the ways specified.

(3) Leading organized crime is a class B felony.

NEW SECTION. Sec. 7. Whoever knowingly gives, promises, or offers to any professional or amateur baseball, football, hockey, polo, tennis, horse race, or basketball player or boxer or any player or referee or other official who participates or expects to participate in any professional or amateur game or sport, or to any manager, coach, or trainer of any team or participant or prospective participant in any such game, contest, or sport, any benefit with intent to influence the person to lose or try to lose or cause to be lost or to limit the person's or person's team's margin of victory or defeat, or in the case of a referee or other official to affect the decisions or the performance of the official's duties in any way, in a baseball, football, hockey, or basketball game, boxing, tennis, horse race, or polo match, or any professional or amateur sport or game, in which the player or participant or referee or other official is taking part or expects to take part, or has any duty or connection therewith, is guilty of a class C felony.

NEW SECTION. Sec. 8. (1) It is unlawful for a person who has knowingly received any proceeds derived, directly or indirectly, from a pattern of racketeering activity or through the collection of an unlawful debt to use or invest, whether directly or indirectly, any part of the proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.

(2) It is unlawful for a person, through a pattern of racketeering activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property.

(3) It is unlawful for a person to conspire or attempt to violate subsection (1) or (2) of this section.

(4) A knowing violation of subsection (1) or (2) of this section is a class B felony. A knowing violation of subsection (3) of this section is a class C felony.

NEW SECTION. Sec. 9. During the pendency of any criminal case charging an offense included in the definition of racketeering in section 1 of this act or a violation of section 8 of this act, the superior court may, in addition to its other powers, issue an order pursuant to section 10 (2) or (3) of this act. Upon conviction of a person for an offense included in the definition of racketeering or a violation of section 8 of this act, the superior court may, in addition to its other powers of disposition, issue an order pursuant to section 10 of this act.

NEW SECTION. Sec. 10. (1) A person who sustains injury to his or her person, business, or property by racketeering or by a violation of section 8 of this act may file an action in superior court for the recovery of treble damages and the costs of the suit, including reasonable investigative and attorney's fees. The attorney general or county prosecuting attorney may file an action: (a) On behalf of those persons injured or, respectively, on behalf of the state or county if the entity has sustained damages, or (b) to prevent, restrain, or remedy racketeering or a violation of section 8 of this act. An action for damages filed by or on behalf of an injured person, the state, or the county shall be for the recovery of treble damages and the costs of the suit, including reasonable investigative and attorney's fees. In an action filed to prevent, restrain, or remedy racketeering or a violation of section 8 of this act, the court may impose a civil penalty not exceeding two hundred fifty thousand dollars upon proof of the violation, in addition to awarding the cost of the suit, including reasonable investigative and attorney's fees.

(2) The superior court has jurisdiction to prevent, restrain, and remedy racketeering or a violation of section 8 of this act after making provision for the rights of all innocent persons affected by the violation and after hearing or trial, as appropriate, by issuing appropriate orders.

(3) Prior to a determination of liability, the orders may include, but are not limited to, entering restraining orders or prohibitions or taking such other actions, including the acceptance of satisfactory performance bonds, in connection with any property or other interest subject to damages, forfeiture, or other restraints pursuant to this section as the court deems proper.

(4) Following a determination of liability, the orders may include, but are not limited to:

(a) Ordering any person to divest himself or herself of any interest, direct or indirect, in any enterprise.

(b) Imposing reasonable restrictions on the future activities or investments of any person, including prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect the laws of this state, to the extent the Constitutions of the United States and this state permit.

(c) Ordering dissolution or reorganization of any enterprise.

(d) Ordering the payment of treble damages to those persons injured by racketeering or a violation of section 8 of this act.

(e) Ordering the payment of all costs and expenses of the prosecution and investigation of any offense included in the definition of racketeering in section 1 of this act or a violation of section 8 of this act, civil and criminal, incurred by the state or county as appropriate, to be

paid to the antiracketeering revolving fund of the state or county which brings the action. If the county has not established an antiracketeering revolving fund, the payment shall be deposited in the county current expense fund.

(f) Ordering forfeiture to the general fund or antiracketeering revolving fund of the state or county as appropriate to the extent not already ordered to be paid in other damages:

(i) Any property or other interest acquired or maintained by a person in violation of section 8 of this act.

(ii) Any interest in, security of, claims against or property or contractual right of any kind affording a source of influence over any enterprise which a person has established, operated, controlled, conducted, or participated in the conduct of in violation of section 8 of this act.

(iii) All proceeds traceable to an offense included in the definition of racketeering in section 1 of this act and all moneys, negotiable instruments, securities, and other things of value used or intended to be used to facilitate commission of the offense.

(g) Ordering payment to the general fund or antiracketeering revolving fund of the state or county as appropriate of an amount equal to the gain a person has acquired or maintained through an offense included in the definition of racketeering.

(5) In addition to or in lieu of an action under this section, the attorney general or county prosecuting attorney may file an action for forfeiture to the general fund or antiracketeering revolving fund of the state or county as appropriate, to the extent not already ordered paid pursuant to this section, of:

(a) Any interest acquired or maintained by a person in violation of section 8 of this act.

(b) Any interest in, security of, claims against or property or contractual right of any kind affording a source of influence over any enterprise which a person has established, operated, controlled, conducted, or participated in the conduct of in violation of section 8 of this act.

(c) All proceeds traceable to an offense included in the definition of racketeering and all moneys, negotiable instruments, securities, and other things of value used or intended to be used to facilitate the commission of the offense.

(6) A defendant convicted in any criminal proceeding is precluded from subsequently denying the essential allegations of the criminal offense of which the defendant was convicted in any civil proceeding. For the purposes of this subsection, a conviction shall be deemed to have occurred upon a verdict or plea of guilty, notwithstanding the fact that an appeal has been or may be lodged upon any judgment and sentence entered thereon.

(7) The initiation of civil proceedings related to violations of any offense included in the definition of racketeering or a violation of section 8 of this act shall be commenced within seven years after actual discovery of the violation.

(8) The attorney general or county prosecuting attorney may, in a civil action brought pursuant to this section, file with the clerk of the superior court a certificate stating that the case is of special public importance. A copy of that certificate shall be furnished immediately by the clerk to the chief judge or presiding chief judge of the superior court in which the action is pending and, upon receipt of the copy, the judge shall immediately designate a judge to hear and determine the action. The judge so designated shall promptly assign the action for hearing, participate in the hearings and determination, and cause the action to be expedited.

(9) The standard of proof in actions brought pursuant to this section is the preponderance of the evidence test.

(10) A person other than the attorney general or county prosecuting attorney who files an action under this section shall serve notice and one copy of the pleading on the attorney general within thirty days after the action is filed with the superior court. The notice shall identify the action, the person, and the person's attorney. Service of the notice does not limit or otherwise affect the right of the state to maintain an action under this section or intervene in a pending action nor does it authorize the person to name the state or the attorney general as a party to the action.

(11) Except in cases filed by a county prosecuting attorney, the attorney general may, upon timely application, intervene in any civil action or proceeding brought under this section if the attorney general certifies that in the attorney general's opinion the action is of special public importance. Upon intervention, the attorney general may assert any available claim and is entitled to the same relief as if the attorney general had instituted a separate action.

(12) In addition to the attorney general's right to intervene as a party in any action under this section, the attorney general may appear as amicus curiae in any proceeding in which a claim under this section has been asserted or in which a court is interpreting section 1, 8, 9, 11, or 12 of this act, or this section.

(13) A civil action under this section is remedial and does not limit any other civil or criminal action under this chapter or any other provision. Civil remedies provided under this section are supplemental and not mutually exclusive.

(14) In bringing a civil action under this chapter, the attorney general or county prosecuting attorney may grant a witness immunity in exchange for testimony in the civil case. The immunity bars the use or derivative use of the witness' testimony in any subsequent criminal prosecution of the witness except for perjury or false swearing committed during the course of the testimony.

NEW SECTION. Sec. 11. (1) (a) There is established in the custody of the state treasurer an antiracketeering revolving fund to be administered by the attorney general under the conditions and for the purposes provided by this subsection. Disbursements from the fund shall be on authorization of the attorney general. No appropriation is required for disbursements.

(b) Any prosecution and investigation costs, including attorney's fees, recovered for the state by the attorney general as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of racketeering, whether by final judgment, settlement, or otherwise, shall be deposited, as directed by a court of competent jurisdiction, in the fund established by this subsection. When the fund exceeds seven hundred fifty thousand dollars, all funds in excess of the seven hundred fifty thousand dollars shall be deposited in the state general fund.

(c) The moneys in the fund shall be used by the attorney general for the investigation and prosecution of any offense, within the jurisdiction of the attorney general, included in the definition of racketeering, including civil enforcement.

(2) (a) The county legislative authority may establish an antiracketeering revolving fund to be administered by the county prosecuting attorney under the conditions and for the purposes provided by this subsection. Disbursements from the fund shall be on authorization of the county prosecuting attorney. No appropriation is required for disbursements.

(b) Any prosecution and investigation costs, including attorney's fees, recovered for the state by the county prosecuting attorney as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of racketeering, whether by final judgment, settlement, or otherwise, shall be deposited, as directed by a court of competent jurisdiction, in the fund established by this subsection.

(c) The county legislative authority may prescribe a maximum level of moneys in the antiracketeering revolving fund. Moneys exceeding the prescribed maximum shall be transferred to the county current expense fund.

(d) The moneys in the fund shall be used by the county prosecuting attorney for the investigation and prosecution of any offense, within the jurisdiction of the county prosecuting attorney, included in the definition of racketeering, including civil enforcement.

NEW SECTION. Sec. 12. (1) The state, upon filing a civil action under section 10 of this act, may file in accordance with this section a racketeering lien. A filing fee or other charge is not required for filing a racketeering lien.

(2) A racketeering lien shall be signed by the attorney general or the county prosecuting attorney representing the state in the action and shall set forth the following information:

(a) The name of the defendant whose property or other interests are to be subject to the lien;

(b) In the discretion of the attorney general or county prosecuting attorney filing the lien, any aliases or fictitious names of the defendant named in the lien;

(c) If known to the attorney general or county prosecuting attorney filing the lien, the present residence or principal place of business of the person named in the lien;

(d) A reference to the proceeding pursuant to which the lien is filed, including the name of the court, the title of the action, and the court's file number for the proceeding;

(e) The name and address of the attorney representing the state in the proceeding pursuant to which the lien is filed;

(f) A statement that the notice is being filed pursuant to this section;

(g) The amount which the state claims in the action or, with respect to property or other interests which the state has requested forfeiture to the state or county, a description of the property or interests sought to be paid or forfeited;

(h) If known to the attorney general or county prosecuting attorney filing the lien, a description of property which is subject to forfeiture to the state or property in which the defendant has an interest which is available to satisfy a judgment entered in favor of the state; and

(i) Such other information as the attorney general or county prosecuting attorney filing the lien deems appropriate.

(3) The attorney general or the county prosecuting attorney filing the lien may amend a lien filed under this section at any time by filing an amended racketeering lien in accordance with this section which identifies the prior lien amended.

(4) The attorney general or the county prosecuting attorney filing the lien shall, as soon as practical after filing a racketeering lien, furnish to any person named in the lien a notice of the filing of the lien. Failure to furnish notice under this subsection does not invalidate or otherwise affect a racketeering lien filed in accordance with this section.

(5) A racketeering lien is perfected against interests in personal property by filing the lien with the department of licensing. A racketeering lien is perfected against interests in real property by filing the lien with the county auditor of the county in which the real property is located. The state may give such additional notice of the lien as it deems appropriate.

(6) The filing of a racketeering lien in accordance with this section creates a lien in favor of the state in:

(a) Any interest of the defendant, in real property situated in the county in which the lien is filed, then maintained, or thereafter acquired in the name of the defendant identified in the lien;

(b) Any interest of the defendant, in personal property situated in this state, then maintained or thereafter acquired in the name of the defendant identified in the lien; and

(c) Any property identified in the lien to the extent of the defendant's interest therein.

(7) The filing of a racketeering lien under this section is notice to all persons dealing with the person or property identified in the lien of the state's claim. The lien created in favor of the state in accordance with this section is superior and prior to the claims or interests of any other person, except a person possessing:

(a) A valid lien perfected prior to the filing of the racketeering lien;

(b) In the case of real property, an interest acquired and recorded prior to the filing of the racketeering lien; or

(c) In the case of personal property, an interest acquired prior to the filing of the racketeering lien.

(8) Upon entry of judgment in favor of the state, the state may proceed to execute thereon as in the case of any other judgment, except that in order to preserve the state's lien priority as provided in this section the state shall, in addition to such other notice as is required by law, give at least thirty days' notice of the execution to any person possessing at the time the notice is given, an interest recorded subsequent to the date the state's lien was perfected.

(9) Upon the entry of a final judgment in favor of the state providing for forfeiture of property to the state, the title of the state to the property:

(a) In the case of real property or a beneficial interest in real property, relates back to the date of filing the racketeering lien with the county auditor of the county in which the real property is located or, if no racketeering lien is filed, then to the date of recording of the final judgment or the abstract thereof with the county auditor of the county in which the real property is located; or

(b) In the case of personal property or a beneficial interest in personal property, relates back to the date the personal property was seized by the state, or the date of filing of a racketeering lien in accordance with this section, whichever is earlier, but if the property was not seized and no racketeering lien was filed then to the date the final judgment was filed with the department of licensing and, if the personal property is an aircraft, with the federal aviation administration.

(10) This section does not limit the right of the state to obtain any order or injunction, receivership, writ, attachment, garnishment, or other remedy authorized under section 10 of this act or appropriate to protect the interests of the state or available under other applicable law.

NEW SECTION. Sec. 13. A trustee who receives written notice that a lien notice has been recorded or a civil proceeding or criminal proceeding has been instituted against any person for whom the trustee holds legal or record title to real property, shall immediately furnish to the attorney general or county prosecuting attorney the following:

(a) The name and address of the person, as known to the trustee;

(b) To the extent known to the trustee, the name and address of all other persons for whose benefit the trustee holds title to the real property; and

(c) If requested by the attorney general or county prosecuting attorney, a copy of the trust agreement or other instrument under which the trustee holds legal or record title to the real property.

(2) The recording of a lien notice shall not constitute a lien on the record title to real property owned by a trustee at the time of recording except to the extent that trustee is named in the lien notice. The attorney general or county prosecuting attorney may bring a civil proceeding in superior court against the trustee to recover from the trustee the amounts set forth in section 15 of this act. In addition to amounts recovered under section 15 of this act, the attorney general or county prosecuting attorney also may recover its investigative costs and attorneys' fees.

(3) The recording of a lien notice does not affect the use to which real property or a beneficial interest owned by the person named in the lien notice may be put or the right of the person to receive any avails, rents, or other proceeds resulting from the use and ownership except the sale of the property, until a judgment of forfeiture is entered.

(4) This section does not apply to any conveyance by a trustee under a court order unless the court order is entered in an action between the trustee and the beneficiary.

(5) Unless a trustee receives written notice that a person having a beneficial interest in the trust is named in a lien notice or is otherwise a defendant in a civil proceeding, this section does not apply to:

(a) A conveyance by a trustee required under the terms of any trust agreement if the trust agreement is a matter of public record before a lien notice is filed; or

(b) A conveyance by a trustee to all persons who have a beneficial interest in the trust.

NEW SECTION. Sec. 14. (1) The term of a lien notice shall be six years from the date the lien notice is recorded. If a renewal lien notice is filed by the attorney general or county prosecuting attorney, the term of the renewal lien notice shall be for six years from the date the renewal lien notice is recorded. The attorney general or county prosecuting attorney is entitled to only one renewal of the lien notice.

(2) The attorney general or county prosecuting attorney filing the lien notice may release in whole or in part any lien notice or may release any specific property or beneficial interest from the lien notice upon such terms and conditions as the attorney general or county prosecuting attorney considers appropriate. A release of a lien notice executed by the attorney general or county prosecuting attorney shall be recorded in the official records in which the lien notice covering that property was recorded. No charge or fee may be imposed for recording any release of a lien notice.

(3) (a) A person named in the lien notice may move the court in which the civil proceeding giving rise to the lien notice is pending for an order extinguishing the lien notice.

(b) Upon the motion of a person under (a) of this subsection, the court immediately shall enter an order setting a date for hearing, which shall be not less than five nor more than ten days after the motion is filed. The order and a copy of the motion shall be served on the attorney general or county prosecuting attorney within three days after the entry of the court's order. At the hearing, the court shall take evidence on the issue of whether any property or beneficial interest owned by the person is covered by the lien notice or otherwise subject to forfeiture under section 12 of this act. If the person shows by a preponderance of the evidence that the lien notice is not applicable to the person or that any property or beneficial interest owned by the person is not subject to forfeiture under section 12 of this act, the court shall enter a judgment extinguishing the lien notice or releasing the property or beneficial interest from the lien notice.

(c) The court may enter an order releasing from the lien notice any specific real property or beneficial interest if, at the time the lien notice is recorded, there is pending an arms length sale of the real property or beneficial interest in which the parties are under no undue compulsion to sell or buy and are able, willing, and reasonably well informed and the sale is for the fair market value of the real property or beneficial interest and the recording of the lien notice prevents the sale of the property or interest. The proceeds resulting from the sale of the real property or beneficial interest shall be deposited with the court, subject to the further order of the court.

(d) At the hearing held pursuant to (b) of this subsection, if the court releases from the lien notice any property or beneficial interest, the person shall post security equal to the fair market value of the property or beneficial interest owned by the person.

NEW SECTION. Sec. 15. (1) If a trustee conveys title to real property for which, at the time of the conveyance, a lien notice has been recorded in the county in which the real property is situated and the notice names a person who the trustee knows holds a beneficial interest in the trust, the trustee shall be liable to the state for the greater of:

(a) The amount of proceeds received by the person named in the lien notice as a result of the conveyance;

(b) The amount of proceeds received by the trustee as a result of the conveyance and distributed by the trustee to the person named in the lien notice; or

(c) The fair market value of the interest of the person named in the lien notice in the real property so conveyed.

(2) If the trustee conveys the real property for which a lien notice has been recorded at the time of the conveyance and holds the proceeds that would otherwise be paid or distributed to the beneficiary or at the direction of the beneficiary or beneficiary's designee, the trustee's liability shall not exceed the amount of the proceeds so held so long as the trustee continues to hold the proceeds.

NEW SECTION. Sec. 16. A trustee who fails to comply with section 13(1) of this act is guilty of a class C felony.

Sec. 17. Section 9A.04.080, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 129, Laws of 1982 and RCW 9A.04.080 are each amended to read as follows:

Prosecutions for the offenses of murder, and arson where death ensues, may be commenced at any period after the commission of the offense; for offenses the punishment of which may be imprisonment in a state correctional institution, committed by any public officer in connection with the duties of his office or constituting a breach of his public duty or a violation of his oath of office, and arson where death does not ensue, within ten years after their commission; for violations of RCW 9A.44.070, 9A.44.080, and 9A.44.100(1)(b), within five years after their commission; for violations of section 6 or 8 of this 1984 act, within six years after their commission; for all other offenses the punishment of which may be imprisonment in a state correctional institution, within three years after their commission; two years for gross misdemeanors; and for all other offenses, within one year after their commission; PROVIDED, That any length of time during which the party charged was not usually and publicly resident within this state shall not be reckoned within the one, two, three, five, and ten years respectively; AND FURTHER PROVIDED, That where an indictment has been found, or complaint or an information

filed, within the time limited for the commencement of a criminal action, if the indictment, complaint or information be set aside, the time of limitation shall be extended by the length of time from the time of filing of such indictment, complaint, or information, to the time such indictment, complaint, or information was set aside.

NEW SECTION, Sec. 18. Sections 1 through 16 of this act shall constitute a new chapter in Title 9A RCW.

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.

NEW SECTION, Sec. 20. This act shall take effect on January 1, 1985."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair, Addison, Appellwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Voting nay: Representative Locke.

Absent: Representatives P. King and Lewis.

Passed to Committee on Rules for second reading.

February 21, 1984

ESSB 4448 Prime Sponsor, Committee on Social & Health Services: Authorizing certain minor health care services. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. It is in the public interest that limited authority to administer skin tests and subcutaneous, intradermal, intramuscular, and intravenous injections and to perform minor invasive procedures to withdraw blood in this state be granted to health care assistants who are not so authorized under existing licensing statutes, subject to such regulations as will assure the protection of the health and safety of the patient.

NEW SECTION, Sec. 2. As used in this chapter:

- (1) 'Director' means the director of licensing.
- (2) 'Health care assistant' means an unlicensed person who assists a licensed health care practitioner in providing health care to patients pursuant to this chapter.
- (3) 'Health care practitioner' means a physician licensed under chapter 18.71 RCW, an osteopathic physician or surgeon licensed under chapter 18.57 RCW, or, acting within the scope of their respective licensures, a podiatrist licensed under chapter 18.22 RCW or a registered nurse licensed under chapter 18.88 RCW.
- (4) 'Supervision' means supervision of procedures permitted pursuant to this chapter by a health care practitioner who is physically present and is immediately available in the facility during the administration of injections, as defined in this chapter, but need not be present during procedures to withdraw blood.
- (5) 'Health care facility' means any hospital, hospice care center, licensed or certified health care facility, health maintenance organization regulated under chapter 48.46 RCW, federally qualified health maintenance organization, renal dialysis center or facility federally approved under 42 C.F.R. 405.2100, or blood bank federally licensed under 21 C.F.R. 607.
- (6) 'Delegation' means direct authorization granted by a licensed health care practitioner to a health care assistant to perform the functions authorized in this chapter which fall within the scope of practice of the delegator and which are not within the scope of practice of the delegatee.

NEW SECTION, Sec. 3. A certification issued to a health care assistant pursuant to this chapter shall be authority to perform only the functions authorized in section 1 of this act subject to proper delegation and supervision in the health care facility making the certification or under the supervision of the certifying health care practitioner in other health care facilities or in his or her office. No certification made by one health care facility or health care practitioner is transferrable to another health care facility or health care practitioner.

NEW SECTION, Sec. 4. The director, or the director's designee, with the advice of designees of the board of medical examiners, the board of osteopathic medicine and surgery, the podiatry board, and the board of nursing, shall adopt rules necessary to administer, implement, and enforce this chapter and establish the minimum uniform requirements necessary for a health care facility or health care practitioner to certify a health care assistant capable of performing the functions authorized in this chapter. These requirements shall ensure that the public health and welfare are protected and shall include, but not be limited to, the following factors:

- (1) The education and occupational qualifications of the health care assistant including types and limitation of drugs or diagnostic agents which may be administered by injection by a health care assistant;
- (2) The work experience of the health care assistant; and

(3) The instruction and training provided to the health care assistant.

NEW SECTION. Sec. 5. (1) Any health care facility may certify a health care assistant to perform the functions authorized in this chapter in that health care facility; and any health care practitioner may certify a health care assistant capable of performing such services in any health care facility, or in his or her office, under a health care practitioner's supervision. Before certifying the health care assistant, the health care facility or health care practitioner shall verify that the health care assistant has met the minimum requirements established by the director under this chapter. These requirements shall not prevent the certifying entity from imposing such additional standards as the certifying entity considers appropriate. The health care facility or health care practitioner shall provide the licensing authority with a certified roster of health care assistants who are certified.

(2) Certification of a health care assistant shall be effective for a period of two years. Recertification is required at the end of this period. Requirements for recertification shall be established by rule.

NEW SECTION. Sec. 6. Any health care assistant certified pursuant to this chapter shall perform the functions authorized in this chapter only by delegation of authority from the health care practitioner and under the supervision of a health care practitioner acting within the scope of his or her license. In the case of subcutaneous, intradermal and intramuscular and intravenous injections, a health care assistant may perform such functions only under the supervision of a health care practitioner having authority, within the scope of his or her license, to order such procedures.

NEW SECTION. Sec. 7. The licensing authority of health care facilities or the disciplinary board of the delegating or supervising health care practitioner shall investigate all complaints or allegations of violations of proper certification of a health care assistant or violations of delegation of authority or supervision. A substantiated violation shall constitute sufficient cause for disciplinary action by the licensing authority of a health care facility or the disciplinary board of the health care practitioner.

NEW SECTION. Sec. 8. The director or the director's designee shall decertify a health care assistant based on a finding that the assistant has obtained certification through misrepresentation or concealment of a material fact or has engaged in unsafe or negligent practices.

NEW SECTION. Sec. 9. The performance of the functions authorized in this chapter by a health care assistant pursuant to this chapter does not constitute unlicensed practice as a health care practitioner.

NEW SECTION. Sec. 10. The department of licensing shall provide to the legislature on January 3, 1985, a report on the standards and rules established to implement sections 1 through 9 of this act.

NEW SECTION. Sec. 11. There is added to chapter 18.36 RCW a new section to read as follows:

A person licensed to practice drugless healing as a naturopathic physician may draw blood for diagnostic purposes.

NEW SECTION. Sec. 12. Sections 1 through 9 of this act shall constitute a new chapter in Title 18 RCW.

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "adding a new chapter to Title 18 RCW; adding a new section to chapter 18.36 RCW; and creating a new section."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representative J. King.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 4477 Prime Sponsor, Committee on Ways & Means: Authorizing employer payment of employee contributions under public retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 4 insert a new section to read as follows:

NEW SECTION. Sec. 1. There is added to chapter 41.04 RCW a new section to read as follows:

(1) The sole purpose of sections 2 and 3 of this act is to allow the members of the retirement systems created in chapters 2.10, 2.12, 41.26, 41.32, 41.40 and 43.43 RCW to enjoy the tax deferral benefits allowed under 26 USC 414 (h). This act does not alter in any manner the provisions of RCW 41.26.450, 41.32.775 and 41.40.650 which require that the member contribution rates shall be set so as to provide fifty percent of the costs of the respective retirement plans.

(2) Should the legislature revoke any benefit allowed under this act, no affected employee shall be entitled thereafter to receive such benefit as a matter of contractual right."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 3, line 8 after "application" insert ": PROVIDED, That the employee proportional contributions required under RCW 41.26.450, 41.32.775 and 41.40.650 may not be altered in any manner."

On page 3, line 13 after "affected" insert ": PROVIDED, That the employee proportional contributions required under RCW 41.26.450, 41.32.775 and 41.40.650 may not be altered in any manner."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Fiske.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4489 Prime Sponsor, Committee on Judiciary: Requiring notification of the mortgagee and other lienholders in property tax foreclosures. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 after "lien" insert "of record"

On page 3, line 13 after "lien" insert "of record"

On page 3, line 15 after "lien" insert "of record"

On page 3, line 19 after "lien" insert "of record"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane Delwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 22, 1984

ESSB 4490 Prime Sponsor, Committee on Energy & Utilities: Restricting utilities from terminating utility service for residential space heat. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.21.290, chapter 7, Laws of 1965 and RCW 35.21.290 are each amended to read as follows:

(1) Cities and towns owning their own waterworks, or electric light or power plants shall have a lien against the premises to which water, electric light, or power services were furnished for four months charges therefor due or to become due, but not for any charges more than four months past due: PROVIDED, That the owner of the premises or the owner of a delinquent mortgage thereon may give written notice to the superintendent or other head of such works or plant to cut off service to such premises accompanied by payment or tender of payment of the then delinquent and unpaid charges for such service against the premises together with the cut-off charge, whereupon the city or town shall have no lien against the premises for charges for such service thereafter furnished, nor shall the owner of the premises or the owner of a delinquent mortgage thereon be held for the payment thereof.

(2) No lien shall be allowed under subsection (1) of this section against premises leased or rented to a tenant for unpaid electric light or power service charges which the tenant or former tenant was directly or solely obligated to pay.

Sec. 2. Section 35.21.300, chapter 7, Laws of 1965 and RCW 35.21.300 are each amended to read as follows:

(1) The lien for charges for service by a city waterworks, or electric light or power plant may be enforced only by cutting off the service until the delinquent and unpaid charges are paid, except that until June 30, 1986, electricity for residential space heating may be terminated between November 15 and March 15 only as provided in subsection (2) of this section. In the event of a disputed account and tender by the owner of the premises of the amount he claims to be due before the service is cut off, the right to refuse service to any premises shall not accrue until suit has been entered by the city and judgment entered in the case.

Until June 30, 1986:

(a) Electricity for residential space heating shall not be terminated between November 15 through March 15 if the customer:

(i) Notifies the utility of the inability to pay the bill. This notice shall be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances;

(ii) Brings a statement from the department of social and health services or a grantee of the planning and community affairs agency which administers federally funded energy assistance programs, that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and which provides a dollar figure that is seven percent of household income;

(iii) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(iv) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is applicable for the dwelling;

(v) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but the plan shall not be invalidated unless payment during this period is less than seven percent. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(vi) Agrees to pay the moneys owed even if he or she moves.

(b) The utility shall:

(i) Include in any notice that an account is delinquent and that service may be subject to termination a description of the customer's duties in this subsection;

(ii) Assist the customer in fulfilling the requirements under this subsection;

(iii) Be authorized to transfer an account to a new residence when a customer who has established a plan under this subsection moves from one residence to another within the same utility service area; and

(iv) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this subsection.

(c) In distributing energy assistance funds pursuant to 42 U.S.C. Sec. 8624, the department of social and health services and grantees of the planning and community affairs agency shall make all payments either directly to the utility or jointly payable to the customer and the utility.

(3) All municipal utilities shall offer residential customers the option of a budget billing or equal payment plan.

NEW SECTION. Sec. 3. There is added to chapter 54.16 RCW a new section to read as follows:

(1) A district providing utility service for residential space heating shall not terminate such utility service between November 15 through March 15 if the customer:

(a) Notifies the utility of the inability to pay the bill. This notice shall be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances;

(b) Brings a statement from the department of social and health services or a grantee of the planning and community affairs agency which administers federally funded energy assistance programs, that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and which provides a dollar figure that is seven percent of household income;

(c) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(d) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is applicable for the dwelling;

(e) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but the plan shall not be invalidated unless payment during this period is less than seven percent. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(f) Agrees to pay the moneys owed even if he or she moves.

(2) The utility shall:

(a) Include in any notice that an account is delinquent and that service may be subject to termination a description of the customer's duties in this section;

(b) Assist the customer in fulfilling the requirements under this section;

(c) Be authorized to transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the same utility service area; and

(d) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this section.

(3) In distributing energy assistance funds pursuant to 42 U.S.C. Sec. 8624, the department of social and health services and grantees of the planning and community affairs agency shall make payments either directly to the utility or jointly payable to the customer and the utility.

(4) This section shall expire June 30, 1986.

NEW SECTION. Sec. 4. There is added to chapter 54.16 RCW a new section to read as follows:

All districts shall offer to residential customers the option of a budget billing or equal payment plan.

Sec. 5. Section 80.28.010, chapter 14, Laws of 1961 and RCW 80.28.010 are each amended to read as follows:

(1) All charges made, demanded or received by any gas company, electrical company or water company for gas, electricity or water, or for any service rendered or to be rendered in connection therewith, shall be just, fair, reasonable and sufficient.

(2) Every gas company, electrical company and water company shall furnish and supply such service, instrumentalities and facilities as shall be safe, adequate and efficient, and in all respects just and reasonable.

(3) All rules and regulations issued by any gas company, electrical company or water company, affecting or pertaining to the sale or distribution of its product, shall be just and reasonable.

(4) Until June 30, 1986:

(a) Utility service for residential space heating shall not be terminated between November 15 through March 15 if the customer:

(i) Notifies the utility of the inability to pay the bill. This notice shall be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances;

(ii) Brings a statement from the department of social and health services or a grantee of the planning and community affairs agency which administers federally funded energy assistance programs, that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and which provides a dollar figure that is seven percent of household income;

(iii) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(iv) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is applicable for the dwelling;

(v) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but the plan shall not be invalidated unless payment during this period is less than seven percent. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(vi) Agrees to pay the moneys owed even if he or she moves.

(b) The utility shall:

(i) Include in any notice that an account is delinquent and that service may be subject to termination a description of the customer's duties in this subsection;

(ii) Assist the customer in fulfilling the requirements under this subsection;

(iii) Be authorized to transfer an account to a new residence when a customer who has established a plan under this subsection moves from one residence to another within the same utility service area; and

(iv) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this subsection.

(c) In distributing energy assistance funds pursuant to 42 U.S.C. Sec. 8624, the department of social and health services and grantees of the planning and community affairs agency shall make all payments either directly to the utility or jointly payable to the customer and the utility.

(d) A payment plan implemented under this subsection is consistent with RCW 80.28.080.

(5) Every gas company and electrical company shall offer residential customers the option of a budget billing or equal payment plan.

(6) Every gas company, electrical company and water company shall construct and maintain such facilities in connection with the manufacture and distribution of its product as will be efficient and safe to its employees and the public.

NEW SECTION, Sec. 6. There is added to chapter 35.21 RCW a new section to read as follows:

Until 1986, cities and towns distributing electricity shall report annually to the legislature for utilities subject to its jurisdiction: (1) The extent to which chapter ____ (Engrossed Substitute Senate Bill No. 4490), Laws of 1984 benefits low income persons, and (2) the costs and benefits to other customers.

This section shall expire June 30, 1986.

NEW SECTION, Sec. 7. There is added to chapter 54.16 RCW a new section to read as follows:

Until 1986, districts distributing electricity shall report annually to the legislature for utilities subject to its jurisdiction: (1) The extent to which chapter ____ (Engrossed Substitute Senate Bill No. 4490), Laws of 1984 benefits low income persons, and (2) the costs and benefits to other customers.

This section shall expire June 30, 1986.

NEW SECTION, Sec. 8. There is added to chapter 80.28 RCW a new section to read as follows:

Until 1986, the Washington utilities and transportation commission shall report annually to the legislature for utilities subject to its jurisdiction: (1) The extent to which chapter ____ (Engrossed Substitute Senate Bill No. 4490), Laws of 1984 benefits low income persons, and (2) the costs and benefits to other customers.

This section shall expire June 30, 1986."

On page 1, line 1 of the title, after "heating;" strike the remainder of the title and insert "amending section 35.21.290, chapter 7, Laws of 1965 and RCW 35.21.290; amending section 35.21.300, chapter 7, Laws of 1965 and RCW 35.21.300; amending section 80.28.010, chapter 14, Laws of 1961 and RCW 80.28.010; adding a new section to chapter 35.21 RCW; adding new sections to chapter 54.16 RCW; and adding a new section to chapter 80.28 RCW."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Bond, Isaacson, Jacobsen, Locke, Long, Miller, Nealey, Pruitt, Scott, Sutherland and Van Luvan.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman and Gallagher.

Voting nay: Representatives Barnes, Fuhrman and Gallagher.

Passed to Committee on Rules for second reading.

February 22, 1984

SB 4491 Prime Sponsor, Senator Bottiger: Modifying provisions relating to the appointment and compensation of homestead appraisers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 22, 1984

ESB 4500 Prime Sponsor, Senator Gaspard: Providing for tax deferred annuities for school employees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 28A.58.560, chapter 223, Laws of 1969 ex. sess. as last amended by section 113, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.560 are each amended to read as follows:

The board of directors of any school district, the Washington state teachers' retirement system, the superintendent of public instruction, and educational service district superintendents are authorized to provide and pay for tax deferred annuities for their respective employees in lieu of a portion of salary or wages as authorized under the provisions of 26 U.S.C., section 403(b), as amended by Public Law 87-370, 75 Stat. 796, as now or hereafter amended. The superintendent of public instruction and educational service district superintendents, if eligible, may also be provided with such annuities.

At the request of at least five employees, the employees' employer shall arrange for the purchase of tax deferred annuity contracts which meet the requirements of 26 U.S.C., section 403(b), as now or hereafter amended, for the employees from any company the employees may choose that is authorized to do business in this state through a Washington-licensed insurance agent that the employees may select. Payroll deductions shall be made in accordance with the arrangements for the purpose of paying the entire premium due and to become due under the contracts. Employees' rights under the annuity contract are nonforfeitable except for the failure to pay premiums.

The board of directors of any school district, the Washington state teachers' retirement system, the superintendent of public instruction, and educational service district superintendents shall not restrict, except as provided in this section, employees' right to select the tax deferred annuity of their choice or the agent, broker, or company licensed by the state of Washington through which the tax deferred annuity is placed or purchased, and shall not place limitations on the time or place that the employees make the selection.

The board of directors of any school district, the Washington state teachers' retirement system, the superintendent of public instruction, and educational service district superintendents may each adopt rules regulating the sale of tax deferred annuities which: (1) Prohibit solicitation of employees for the purposes of selling tax deferred annuities on school premises during normal school hours; (2) only permit the solicitation of tax deferred annuities by agents, brokers, and companies licensed by the state of Washington; and (3) require participating companies to execute reasonable agreements protecting the respective employers from any liability attendant to procuring tax deferred annuities.

Signed by Representatives Grimm, Chair; Braddock, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Struthers and Taylor.

Voting nay: Representatives Sommers, Vice Chair; Addison, Appelwick, Brekke, Sayan and Smitherman.

Absent: Representatives Bond, Fiske, Sanders and Tilly.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4504 Prime Sponsor, Senator Shinpoch: Requiring a comprehensive state budgeting, accounting, and reporting system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 25, insert the following:

*Sec. 3. Section 43.88.090, chapter 8, Laws of 1965 as last amended by section 4, chapter 270, Laws of 1981 and RCW 43.88.090 are each amended to read as follows:

(1) For purposes of developing budget proposals to the legislature, the governor shall have the power, and it shall be the governor's duty, to require from proper agency officials such detailed estimates and other information in such form and at such times as the governor shall direct. ~~((The estimates shall include statements or tables which indicate, by agency, the state funds which are required for the receipt of federal matching revenues.))~~ The estimates for the legislature and the judiciary shall be transmitted to the governor and shall be included in the budget. ~~((Estimates for the legislature and for the supreme court shall be included in the budget))~~ without revision. Copies of all such estimates shall be transmitted to the standing committees on ways and means of the house and senate at the same time as they are filed with the governor and the office of financial management.

(2) Estimates from each agency shall include goals and objectives for each program administered by the agency. The goals and objectives shall, whenever possible, be stated in terms of objective measurable results. The estimates shall include statements or tables which indicate, by agency, the state funds which are required for the receipt of federal matching revenues. The estimates shall be revised as necessary to reflect legislative enactments and adopted appropriations and shall be included with the initial biennial allotment submitted under RCW 43.88.110.

(3) Each agency shall submit to the office of financial management a report by September 15 of each odd-numbered year on its performance toward the goals and objectives established for the previous fiscal biennium and the goals and objectives established for the current fiscal biennium. Copies of the reports shall be transmitted by the office of financial management to the standing committees on ways and means of the house of representatives and senate and the legislative budget committee by December 31 of each odd-numbered year.

(4) In the year of the gubernatorial election, the governor shall invite the governor-elect or the governor-elect's designee to attend all hearings provided in RCW 43.88.100; and the

governor shall furnish the governor-elect or the governor-elect's designee with such information as will enable the governor-elect or the governor-elect's designee to gain an understanding of the state's budget requirements. The governor-elect or the governor-elect's designee may ask such questions during the hearings and require such information as the governor-elect or the governor-elect's designee deems necessary and may make recommendations in connection with any item of the budget which, with the governor-elect's reasons therefor, shall be presented to the legislature in writing with the budget document. Copies of all such estimates and other required information shall also be submitted to the standing committees on ways and means of the house and senate.

NEW SECTION, Sec. 4. Section 1, chapter 306, Laws of 1983 and RCW 43.17.220 are each repealed.*

On page 1, line 5 of the title, after "accounting;" strike the remainder of the title and insert "amending section 43.88.090, chapter 8, Laws of 1965 as last amended by section 4, chapter 270, Laws of 1981 and RCW 43.88.090; adding new sections to chapter 43.88 RCW; and repealing section 1, chapter 306, Laws of 1983 and RCW 43.17.220."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Fiske and Hastings.

Passed to Committee on Rules for second reading.

February 21, 1984

SB 4527 Prime Sponsor, Senator Peterson: Directing law enforcement officers to put reflectorized warning devices on disabled cars. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Egger, Vice Chair; Sutherland, Vice Chair; Barrett, Betzoff, Burns, Charnley, Fisch, Fisher, Gallagher, Garrett, Hankins, Locke, McMullen, Mitchell, Patrick, Powers, Prince, Schmidt, C. Smith, Van Luven, Vekich, Wilson and Zellinsky.

Absent: Representatives Clayton, Prince, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4579 Prime Sponsor, Committee on Judiciary: Limiting tort liability of state militia for acts done on federal duty. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 72, Laws of 1925 ex. sess. as amended by section 31, chapter 130, Laws of 1943 and RCW 38.12.170 are each amended to read as follows:

The governor may dismiss any commissioned or warrant officer of the organized militia of Washington for any of the following reasons:

- (1) Conviction of an infamous crime((:));
- (2) Absence from his command for more than thirty days without proper leave((:));
- (3) Sentence of dismissal by court martial, duly approved((:));
- (4) Upon muster out of the organization to which ((such)) the officer is then assigned((:));
- (5) Acceptance of the resignation of ((such)) the officer(~~PROVIDED, That~~), but no officer ((shall)) may be discharged or his resignation accepted while under arrest or against whom military charges have been preferred, or until he ((shall have)) has turned over to his successor or satisfactorily accounted for all state and federal moneys((:)) and military property for which he ((shall be)) is accountable or responsible((:));
- (6) Removal of his actual residence to such distance from the station of his command as to render it impracticable for him to perform the duties of his office((:));
- (7) Incompetence or unfitness for military service as determined by the duly approved findings of a board of inquiry appointed for that purpose by the adjutant general.

The adjutant general shall annually appoint and convene qualitative retention boards to review the military personnel records of officers who have completed three or more years service in the Washington state guard to determine their retention potential and acceptability for continuation in an active status. In the conduct of the reviews, the regulation issued by the adjutant general to implement this provision shall conform to the extent practicable to that governing the army national guard.

Sec. 2. Section 33, chapter 130, Laws of 1943 and RCW 38.12.180 are each amended to read as follows:

Commissioned officers of the organized militia of Washington shall be retired by order of the commander-in-chief with the rank respectively held by them at the time of such retirement for the following reasons:

(1) Unfitness for military service by reason of permanent physical disability.

(2) Upon request after at least five years continuous service as an officer in the organized militia of Washington.

Commissioned officers of the ~~((organized militia of Washington))~~ state guard shall upon reaching the age of sixty-four years be retired ~~((by order of the commander-in-chief in the next higher rank to that held at the time of such retirement))~~.

Retired officers shall draw no pay or allowance except when on active duty.

~~((They shall be))~~ Retired officers are subject, with their consent, to temporary detail on active duty by the commander-in-chief, and while on such duty shall receive the same pay and allowances as officers of like rank on the active list.

Sec. 3. Section 43, chapter 130, Laws of 1943 as last amended by section 81, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 38.24.050 are each amended to read as follows:

Commissioned officers, warrant officers, and enlisted ~~((men))~~ personnel of the organized militia of Washington, while in active state service, ~~((during encampment or other periods of field training, or on any ordered state duty, or on any active duty, shall be))~~ are entitled to and shall receive the same amount of pay and allowances from the state of Washington as provided by federal laws and regulations for commissioned officers, warrant officers, and enlisted ~~((men))~~ personnel of the United States army ~~((PROVIDED, That))~~ if federal pay and allowances are not authorized. Officers shall receive travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended: PROVIDED, FURTHER, That))~~. For periods of such active state service ~~((other than for annual field training))~~, commissioned officers, warrant officers, and enlisted ~~((men))~~ personnel of the organized militia of Washington shall receive either such pay and allowances or ~~((twenty-five))~~ thirty dollars per day, whichever is greater.

~~((Extra duty pay or allowances to enlisted men rated as cooks, may be authorized by the commander-in-chief during periods of field service or any other duty for which pay is authorized, but in no case shall such additional extra duty pay or allowances exceed two dollars per day.))~~

The value of articles issued to any ~~((enlisted man))~~ member and not returned in good order on demand, and legal fines or forfeitures, may be deducted from ~~((such enlisted man's))~~ the member's pay.

All ~~((officers not regular state employees))~~ members detailed to serve on any board or commission ordered by the governor, or on any court of inquiry or court martial ordered by proper authority, ~~((shall))~~ may, at the discretion of the adjutant general, be paid a sum equal to one day's active duty for each day actually employed on ~~((such))~~ the board or court or engaged in the business thereof, or in traveling to and from the same; and in addition thereto travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended when such duty ~~((shall be))~~ is at a place other than the city or town of his residence.

Necessary transportation, quartermasters' stores, and subsistence for troops when ordered on state active duty may be contracted for and paid for as are other military bills.

Sec. 4. Section 2, chapter 46, Laws of 1974 ex. sess. and RCW 38.24.060 are each amended to read as follows:

All members of the organized militia of Washington who are called to state active duty shall, upon return from such duty, have ~~((the same rights of employment or reemployment as they would have if they had been called to active duty in the United States army))~~ those rights accorded under RCW 73.16.031, 73.16.035, 73.16.041, 73.16.051, and 73.16.061.

Sec. 5. Section 40, chapter 130, Laws of 1943 and RCW 38.40.030 are each amended to read as follows:

If any ~~((officer or enlisted man))~~ member of the organized militia is ~~((wounded))~~ injured, incapacitated, or otherwise disabled while in active state service as a member of the military force of the state, he or she shall receive from the state of Washington just and reasonable relief in the amount to be determined as ((hereinafter)) provided in this section, including necessary medical ((aid in case such officer or enlisted man)) care. If the member dies from disease contracted or injury received or is killed while in active state service under order of the governor, then the dependents of ((such)) the deceased shall receive such compensation as may be allowed as ((hereinafter)) provided in this section. If the United States or any agent thereof, in accordance with any federal statute or regulation, furnishes monetary assistance, benefits, or other temporary or permanent relief to militia members or to their dependents for injuries arising out of and occurring in the course of their activities as militia members, but not including Social Security benefits, then the amount of compensation which any militia member or his or her dependents are otherwise entitled to receive from the state of Washington as provided in this section shall be reduced by the amount of monetary assistance, benefits, or other temporary or permanent relief the militia member or his or her dependents have received and

will receive from the United States or any agent thereof as a result of his or her injury. All claims arising under this section shall be inquired into by a board of three officers, at least one being a medical officer, to be appointed by the adjutant general. ~~((Such))~~ The board ~~((to have))~~ has the same power to take evidence, administer oaths, issue subpoenas ~~((and))~~, compel witnesses to attend and testify and produce books and papers, and punish their failure to do so as is possessed by a general court martial. The amount of compensation or benefits payable shall conform as nearly as possible to the general schedule of payments and awards provided under the workmen's compensation law in effect in the state of Washington at the time the disability or death occurred. The findings of the board shall be reviewed by the adjutant general and submitted to the governor for final approval. The reviewing officer or the governor may return the proceedings for revision or for the taking of further testimony. The action of the board when finally approved by the governor ~~((shall be))~~ is final and conclusive and ~~((shall))~~ constitutes the fixed award for ~~((such))~~ the injury or loss and ~~((shall be))~~ is a debt of the state of Washington.

NEW SECTION. Sec. 6. The following acts or parts of acts are each repealed:

- (1) Section 23, chapter 130, Laws of 1943 and RCW 38.12.090;
- (2) Section 51, chapter 130, Laws of 1943 and RCW 38.24.030; and
- (3) Section 50, chapter 130, Laws of 1943 and RCW 38.24.040."

On page 1, line 1 of the title after "militia;" strike the remainder of the title and insert "amending section 1, chapter 72, Laws of 1925 ex. sess. as amended by section 31, chapter 130, Laws of 1943 and RCW 38.12.170; amending section 33, chapter 130, Laws of 1943 and RCW 38.12.180; amending section 43, chapter 130, Laws of 1943 as last amended by section 81, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 38.24.050; amending section 2, chapter 46, Laws of 1974 ex. sess. and RCW 38.24.060; amending section 40, chapter 130, Laws of 1943 and RCW 38.40.030; repealing section 23, chapter 130, Laws of 1943 and RCW 38.12.090; repealing section 51, chapter 130, Laws of 1943 and RCW 38.24.030; and repealing section 50, chapter 130, Laws of 1943 and RCW 38.24.040."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Voting nay: Representatives Halsan and P. King.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 4709

Prime Sponsor, Committee on Commerce & Labor: Providing for plant closures and employee layoffs. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. The legislature finds and declares that:

(1) Unemployment which results from layoffs, shutdowns, sales, relocations, or other forms of closure is clearly a social rather than an individual problem and requires a societal response;

(2) Economic and social disruptions resulting from the loss of jobs adversely affect communities as well as individuals;

(3) Private employers which create job losses through layoffs and closures should engage in planning that is intended to prevent unemployment from occurring as a result. This is fundamental to the social responsibility of the employment relationship;

(4) Both employees and their communities will benefit by advance notification, investigations, compensation, public services, and technical assistance that will minimize or avoid the economic and social disruption resulting from job losses;

(5) Economic planning to avert the dislocation of employment opportunities and new mechanisms of public control are needed to prevent or minimize the harmful economic and social effects of unemployment on employees, their communities, and local government.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Business operation' means a person, firm, partnership, corporation, trust, association, or other form of business organization, which employs at least fifty individuals within this state.

(2) 'Workplace' means any factory, plant, office, or other facility where an employer has hired employees to produce items or provide services.

(3) 'Reduction in operations' means the full or partial closure or relocation of a workplace or any other action taken by a business operation that would reduce the number of employees at a workplace by twenty percent of the work force, or twenty persons, whichever is greater, for a period exceeding three months.

(4) 'Layoff' means any action taken by a business operation that would reduce the number of employees at a workplace by twenty percent of the work force, or twenty persons, whichever is greater, for a period of three months or more.

(5) 'Affected employee' means an individual who in any work week is unemployed by reason of a reduction in operations or layoff or who receives a wage which is less than seventy-five percent of the average weekly wage received by the employee during the three-month period prior to the reduction in operations or layoff.

(6) 'Community' means any municipal corporation in which a business operation is located, or if a business operation is not located in a municipal corporation, the county in which a business operation is located.

(7) 'Department' means the department of labor and industries.

(8) 'Taxing district' means any county, city, or special district permitted by law to tax business operations with workplaces located within the district's boundaries.

(9) 'Employee-owned business' means a business operation owned entirely by employees of that business and controlled by those employees or by a board of directors selected by the employees.

(10) 'Community-owned business' means a business which is:

(a) At least fifty-one percent owned by a not-for-profit corporation established primarily for the purpose of advancing the economic development of the community if the majority of the members of the controlling board of directors of the not-for-profit corporation are comprised of elected representatives of the community; or

(b) At least fifty-one percent owned by the city or county in which the workplace of the business operation is located and which is controlled by the electorate of the city or county through elected officials or an elected or appointed board of directors.

(11) 'Government-owned business' means a business operation owned entirely by federal or state agencies and controlled by a board of directors selected by the agency or agencies.

(12) 'Jointly-owned business' means a business operation owned by any two or all three parties named in subsections (9), (10), and (11) of this section, and controlled by a board of directors selected by those parties.

(13) 'Relocation' means the transfer of a part or all of the business operation to a place located beyond a fifty-mile radius which results in a reduction of ten percent in the number of employees.

NEW SECTION. Sec. 3. This chapter does not apply to reductions in operations:

(1) Resulting solely from labor disputes as defined by the National Labor Relations Act;

(2) Occurring at construction sites; and

(3) Whenever the reduction results from seasonal factors, which are customary in the industry of which the business operation is a part, as determined by the department;

(4) Resulting from fire, flood, or other acts of God; or

(5) Bankruptcy.

This chapter shall apply in all other situations without exception.

NEW SECTION. Sec. 4. Any business operation intending a reduction in operations at a workplace may:

(1) Provide written notice of its intent to reduce operations at least six months before the reduction is to take effect. This notice shall be transmitted to:

(a) All employees of the business operation located at the affected workplace;

(b) The organization which represents its employees for purposes of collective bargaining, if one exists;

(c) The state department of commerce and economic development;

(d) The governor's office;

(e) The department of labor and industries; and

(f) The employment security department.

(2) Specify in the notice under subsection (1) of this section the:

(a) Name, location, and nature of the workplace affected;

(b) Reasons for and expected length of the reduction in operations;

(c) Possible alternatives to undertaking the action of reduction in operations;

(d) Number of employees to be affected by the contemplated action; and

(e) Rights and provisions for the welfare of employees concerning due process, seniority, and severance pay in the event of a reduction in operations, which are guaranteed by collective bargaining agreements between employee organizations and the business operation or otherwise set forth in the personnel policies of the business operation.

NEW SECTION. Sec. 5. Upon receipt of the notice of intent by a business operation to reduce operations, or notice of a de facto reduction in operations through extended layoff or other action under section 4 of this act, and upon receipt of a request from the local economic stabilization task force provided in section 13 of this act:

(1) Within five working days the department shall:

(a) Notify in writing the clerks of all taxing districts that could be adversely affected by the decision to reduce operations; and

(b) Request from these officials within fifteen additional working days such information concerning taxation as may be required to prepare a preliminary economic impact statement.

(2) Within thirty working days, with the assistance of the department of commerce and economic development and other departments of the state as necessary, the department shall:

(a) Complete an investigation, in consultation with the employees as well as management of the business operation, of alternatives to reduction which would maintain the existing level of employment at the affected workplace. This investigation should include as appropriate, but not be limited to, consideration of new sources of financing for the business operation, reorganization of management or production, opening new markets for existing goods or services produced by the business, and production of modified or different goods or services; and

(b) Prepare and present to the business operation, as well as to all parties listed in section 4(1) of this act a preliminary statement of economic impact and alternatives for the contemplated or de facto reduction in operations.

(3) Within fifty working days, if the business operation cannot be persuaded to adopt an alternative to reduction identified under subsection (2) of this section, the department shall:

(a) Convene a meeting of representatives from:

(i) The ownership and management of the business operation;

(ii) The organization representing employees of that business operation for purposes of collective bargaining, or if there are no such organizations, then specially elected representatives of those employees;

(iii) The community in which the affected workplace is located;

(iv) The principal financial institutions in the community;

(v) The department of social and health services;

(vi) The department of commerce and economic development;

(vii) The governor's office; and

(viii) Other public agencies deemed relevant; and

(b) Mandate this body to develop a plan detailing steps to be taken by the parties listed in subsection (3)(a) of this section in response to the decision to reduce operations, which will:

(i) Prevent, to the extent possible, unemployment from occurring as a result of this decision; and

(ii) Minimize disruption in the economic lives of affected employees and affected communities.

(4) Within one hundred thirty working days the department shall:

(a) Complete an in-depth investigation of the reasons and underlying causes for the reduction in operations which shall include review of the relevant financial records of the business operation;

(b) In the event of an intended or de facto closure or relocation, complete an initial study of the feasibility and economic viability of establishing a community-owned, government-owned, employee-owned, or jointly-owned business to continue operations at the workplace and make this study available to the parties identified in subsection (3)(a) of this section; and

(c) Prepare, as documentation of the activities described in this subsection and the planning process mandated in subsection (3)(b) of this section, a statement of determination of economic and social impact and action which shall include descriptions of:

(i) The causes for the reduction in operations;

(ii) The potential economic impact of this reduction in terms of incomes lost to affected individuals, direct and indirect number of jobs lost to affected communities, revenues lost to affected taxing districts, retail sales lost, supplier, wholesaler, retail, and other related business failures and public service job losses;

(iii) The projected cost incurred by local, state, and federal agencies in providing financial assistance and services to affected communities;

(iv) The potential social impact in terms of emotional, physical, and related problems created by the loss of incomes or jobs; and

(v) The actions which will be taken by the business operation, affected employees and their organizations, affected communities, private financial institutions, and state agencies to offset the detrimental aspects of this impact;

(d) Publish this statement and its recommendations for public review and comment. Public hearings shall be held if requested by ten percent of the employees of the business operation or one percent of the voting population of the affected community; and

(e) Modify this statement and its recommendations, as appropriate, on the basis of public comment and the findings of public hearings, if held.

NEW SECTION, Sec. 6. The department of social and health services shall provide public services including those in subsections (2) and (3) of this section, and the employment security department shall provide services, including those in subsections (1), (2) and (4) of this section to individuals and communities adversely affected by decisions of business operations to reduce operations, when such services are deemed necessary through planning under section 5(3) of this act or contained in the statements of determination of economic and social impact and action described in section 5(4) of this act. These services shall include but not be limited to:

- (1) Job search services, including placement in comparable positions to jobs lost by affected employees;
- (2) Training programs, including retraining for occupations offering similar wage levels to those jobs lost by affected employees;
- (3) Relocation assistance, including moving subsidies within Washington for affected employees not accepting transfer to another workplace of the business operation;
- (4) Targeting temporary subsidized employment in public and private sector jobs for affected employees; and
- (5) Targeting social service programs for individuals and families which strengthen support systems in affected communities.

NEW SECTION. Sec. 7. The department of commerce and economic development shall provide public services to communities adversely affected by decisions of business operations to reduce operations when such services are deemed necessary through planning under section 5(3) of this act or contained in statements of determination of economic and social impact and action under section 5(4) of this act. These services shall include but not be limited to:

- (1) Declaration of an affected community as an 'economically lagging area' to stimulate new investments through tax incentives;
- (2) Targeting industrial revenue bonds, revolving funds where applicable, and similar funding sources to stimulate economic development in affected communities;
- (3) Targeting state economic development grants and low-interest loans to create new employment opportunities in affected communities at comparable wage levels to those of the business reducing operations; and
- (4) Targeting state public works projects and federal economic development administration 'pass-through' funds for public works to strengthen the economic infrastructure of affected communities.

NEW SECTION. Sec. 8. The department of commerce and economic development shall provide the following technical assistance upon request by employees or communities adversely affected by decisions of business operations to reduce operations:

- (1) Conducting informational meetings for employees, employee organizations, community organizations and appropriate government agencies about the advantages and disadvantages of community-owned business, government-owned business, employee-owned business, or jointly-owned business, and about the services and technical assistance available through the department of commerce and economic development as authorized by this chapter;
- (2) In-depth evaluation of the feasibility and economic viability of a proposed community-owned business, government-owned business, employee-owned business, or jointly-owned business based on the results of the initial study described in section 5(4) of this act if previously conducted;
- (3) Technical assistance as needed to community groups, government agencies, or employee groups seeking to form a community-owned business, government-owned business, employee-owned business, or jointly-owned business;
- (4) Assistance in obtaining financing for the purchase and operation of community-owned, government-owned, employee-owned, or jointly-owned business, including preference in low-interest state and federal economic development loans;
- (5) Coordinating the efforts of local, state, federal, and private agencies assisting in the formation of a community-owned, government-owned, employee-owned, or jointly-owned business; and
- (6) Assistance, counseling, and training in the management of a community-owned, government-owned, employee-owned, or jointly-owned business.

NEW SECTION. Sec. 9. A business operation which intends to reduce operations at a workplace shall:

- (1) Cooperate in the conduct of the investigation and planning under section 5 of this act; and
- (2) In the event of an intended closure or relocation, make good faith offers of sale at fair market values for plant, equipment, and inventory to the community in which that workplace is located, to the appropriate federal, state, and county agencies and to agents of the employees of that business operation, which, singly or in combination, are seeking to form a community-owned, government-owned, employee-owned, or jointly-owned business at the workplace being closed. These offers shall not be withdrawn until the employees, employee organizations, community officials, and appropriate government agencies have first been notified in writing by the business operation of the assistance available from the department of commerce and economic development under section 8 of this act, and have had at least fifty working days from such notice for the opportunity to avail themselves of this assistance.

NEW SECTION. Sec. 10. In the event of a total plant closure, the employer shall pay to the unemployment compensation trust fund an amount equal to twenty-five percent of the state unemployment taxes paid on the wages of its employees for services performed in the twelve months prior to closure. This payment is not required if the employer has given the notice under section 4 of this act.

NEW SECTION. Sec. 11. Any person knowingly making false statements under this chapter is guilty of a gross misdemeanor under RCW 9.92.020.

NEW SECTION. Sec. 12. An economic stabilization task force shall be formed by July 1, 1984. This task force shall be composed of the commissioner of employment security, the secretary of social and health services, the director of commerce and economic development, the director of planning and community affairs, a representative of the commission for vocational education, a representative of the business community, and a representative of organized labor. The task force shall be chaired by the commissioner of employment security.

The purpose of this task force shall be to provide a timely, coordinated response by agencies of the state of Washington and community organizations in the event of a plant closure or mass layoff.

When the task force is informed of a plant closure or mass layoff which is likely to have a major impact on a community, the task force shall meet in a timely fashion to determine the most effective way to:

- (1) Provide short-term assistance to affected workers;
- (2) Promote the rapid reemployment of affected workers;
- (3) Provide alternatives to the closure or mass layoff, where appropriate;
- (4) Assist local communities in the planning and implementation of effective responses to the closure or mass layoff; and
- (5) Where appropriate, assist the communities in long-term economic development efforts. The task force shall utilize existing staff and resources.

In determining the most effective response to a plant closure or mass layoff, the task force shall consult with representatives of local government, community organizations, other state agencies, and other groups which can provide guidance on the appropriate response to the closure.

NEW SECTION. Sec. 13. Local economic stabilization task forces may be formed to provide effective community responses to plant closure and mass layoffs. These task forces shall consist of persons representing local government, community organizations, local businesses, and local employee organizations. Representatives of appropriate agencies of state government shall also participate in these task forces.

If a local economic stabilization task force establishes an emergency economic assistance fund to aid the community in responding to the closure or mass layoff, matching funds may be provided on a dollar-for-dollar basis from the state general fund. In no event may the amount paid from the general fund to a local emergency economic assistance fund exceed two hundred fifty thousand dollars during any single biennium.

NEW SECTION. Sec. 14. 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. 15. Sections 1 through 14 of this act shall constitute a new chapter in Title 49 RCW."

On page 1, line 2 of the title strike "declaring an emergency" and insert "prescribing penalties"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Chandler, Clayton, Patrick, C. Smith and Struthers.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4730 Prime Sponsor, Committee on Social & Health Services: Requiring the extension of health insurance coverage in child support orders under certain circumstances. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:
On page 1, line 9 after "if" insert "all of the following conditions are met"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Addison, Appewick, Cantu, Dellwo, Ellis, Halsan, P. King, Locke, G. Nelson, Padden, Schmidt, L. Smith, Tilly, Wang and West.

Voting nay: Representative Crane.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 21, 1984

SSB 4814

Prime Sponsor. Committee on Institutions: Modifying provisions on children and family services. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. As used in sections 1 through 4 of this act, 'department' means the department of social and health services.

NEW SECTION. Sec. 2. The department shall expand the initial plan developed under section 5, chapter 192, Laws of 1983 to implement the goals and objectives of the children and family services act, chapter 74.14A RCW, to include the following:

(1) An itemization of the cost of the department's initial implementation plan developed under section 5, chapter 192, Laws of 1983, which was provided to the legislature in November, 1983; of all subsections in section 5, chapter 192, Laws of 1983, and of those items listed in subsection (2) of this section.

(2) Such itemization also shall include:

(a) Staffing costs associated with the alternative residential placement process;

(b) Costs associated with providing a continuum of mental health services for children;

(c) Costs associated with specialized and regular foster and group care home, receiving home, and crisis residential center beds for children and youth and emancipation facility beds for children and youth who require out-of-home placements but who can function relatively independently. An itemization of such costs shall take into consideration an assessment of need for beds in such facilities and the need for training and support services necessary to keep children and youth from undergoing unnecessary and unplanned placements; and

(d) Costs associated with providing services for hard-to-place children and youth.

NEW SECTION. Sec. 3. The department shall develop the elements of the expanded plan delineated in section 2 of this act in cooperation with the advisory committee appointed by the secretary to develop the 1983 plan required under section 5, chapter 192, Laws of 1983 implementing the children and family services act. The plan shall be submitted to the appropriate committees of the house of representatives and the senate by November 15, 1984. The committee shall serve in its advisory capacity until December 30, 1984.

NEW SECTION. Sec. 4. (1) The legislative budget committee shall conduct a study comparing private group care rates with state group care rates for equivalent services. Such study shall make recommendations for change, where appropriate.

(2) The legislative budget committee shall report back to the appropriate committees of the house of representatives and the senate by November 15, 1984.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall expire December 30, 1984.

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. 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 Representatives Kreidler, Chair; Dellwo, Vice Chair; Ballard, Braddock, Broback, Lewis, McClure, Mitchell, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Absent: Representatives J. King and Niemi.

Passed to Committee on Rules for second reading.

SECOND READING

SENATE JOINT MEMORIAL NO. 127, by Senators Williams, Goltz, Hemstad, McManus, Hurley and Fuller

Requesting the Department of Energy to review other radioactive waste sites.

The memorial was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. D. Nelson spoke in favor of the memorial, and Mr. Isaacson spoke against it.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Charnley, is it understood that the term 'crystal-line rocks' could also include rock types known as 'gneiss'?"

Mr. Charnley: "Yes, Representative Nelson, the term 'granite,' in the science, does bear a broader understanding than the specific. The representative from the 8th District is quite correct, there are many forms of granite, but the term is understood in its generic sense as covering a broader field. I would also wish to make known that that would cover the metamorphic type rock known as 'gneiss.' Both granites and gneisses are crystalline rock and generally, especially gneisses, are found in what are considered the oldest and most stable parts of the earth. In terms of storing nuclear waste we must be concerned with the permeability--the ability of the rock to withstand certain heat and certain pressures--and we must also be concerned with its permanence in the sense of not just a few decades or one hundred fifty years, but many hundreds of thousands of millions of years. Gneisses, in particular, are rocks that have gone through a long, long history. You are talking now of billions of years in some cases, and they do represent and do give repository sites that would be exceedingly permanent and it would be very unusual to have such things as earthquakes or earth movements which would cause those rocks to be deformed and changed. Therefore, I think it's critical and I appreciate the question that 'crystalline' includes the metamorphic rock which is gneiss. I would point out the gentleman from the 8th District mentioned schist and I would agree with him, schist is a crystalline rock, but if it isn't formed out of crystalline rock it would not be appropriate. I think the wording in this is broad enough that Congress will understand that and I don't think we are taking a political shot suggesting the scientific term in the least."

Representatives D. Nelson and Isaacson spoke in favor of passage of the memorial, and Mr. Barnes spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 127, and the memorial passed the House by the following vote: Yeas, 76; nays, 19; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Luven, Vander Sloep, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Barnes, Bond, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Nealey, Prince, Sanders, Smith C, Struthers, Tilly, West, Williams J, Wilson - 19.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Senate Joint Memorial No. 127, having received the constitutional majority, was declared passed.

ENGROSSED SENATE JOINT MEMORIAL NO. 131, by Senators Williams and Hurley

Requesting consideration of nuclear waste policy and liability.

The memorial was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives D. Nelson, Sutherland, Long and Barnes spoke in favor of the memorial, and Representative Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Memorial No. 131, and the memorial passed the House the following vote: Yeas, 84; nays, 11; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi.

O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Bond, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Nealey, Prince, Struthers - 11.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Engrossed Senate Joint Memorial No. 131, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

SUBSTITUTE SENATE BILL NO. 4313, by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman, Hemstad and Moore)

Authorizing the formation of combined city and county municipal corporations under Art. XI, section 16 of the Constitution.

The bill was read the second time.

Mr. Vander Stoep moved adoption of the following amendment:

On page 2, after line 11 insert:

"NEW SECTION, Sec. 8. There is added to chapter 82.08 RCW a new section to read as follows:

(1) There is levied and there shall be collected an additional tax on each retail sale in border counties in this state equal to one and one-tenth percent of the selling price.

(2) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020."

POINT OF ORDER

Mr. Heck: "Mr. Speaker, I would ask that you rule on whether or not this proposed amendment is within the scope and object of Substitute Senate Bill 4313."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Heck, your point is well taken. The bill pertains to consolidation of city and county and of the method of allocating state revenue in connection with the consolidation. The amendment pertains to border counties and the collection of sales tax and increasing that tax. Your point is well taken; the amendment is out of order."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4313, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Hastings - 1.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Substitute Senate Bill No. 4313, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4541, by Committee on Judiciary (originally sponsored by Senators Taimadge, Hemstad, Woody, Wojahn, Granlund and Peterson)

Establishing provisions for relief from domestic violence.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 43rd Day, February 20, 1984.)

On motion of Mr. McMullen, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang, Brough, Patrick and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4541 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R. Van Dyken, Vekich - 3.

Substitute Senate Bill No. 4541 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.

SUBSTITUTE SENATE BILL NO. 3984, by Committee on Judiciary (originally sponsored by Senators Taimadge and Pullen; by Secretary of State request)

Clarifying recall procedures.

The bill was read the second time. Committee on Constitution, Elections and Ethics recommendation: Majority do pass as amended. (For amendments, see Journal, 43rd Day, February 20, 1984.)

On motion of Mr. Pruitt, the committee amendments were adopted.

On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3984 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R. Van Dyken, Vekich - 3.

Substitute Senate Bill No. 3984 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.

SUBSTITUTE SENATE BILL NO. 3620, by Committee on Parks & Ecology (originally sponsored by Senators Hurley, Lee, Hansen, Quigg, Fuller, Rasmussen, Peterson and Guess)

Establishing a limit for registration fees for air contaminant sources.

The bill was read the second time. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3620, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Substitute Senate Bill No. 3620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4329, by Committee on Agriculture (originally sponsored by Senators McDermott, Hansen and Barr)

Providing for the management of the Milwaukee Road corridor.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day, February 21, 1984.)

Ms. Rust moved adoption of the committee amendment.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 2, after line 8 insert:

"(1) Consult with the county legislative authority, seek local public input and satisfy their concerns where reasonable when developing a plan for the management of the corridor as a recreational trail."

Renumber the following subsections consecutively.

Representatives Tilly and Pruitt spoke in favor of the amendment to the amendment, and Representative Rust spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the committee amendment to Engrossed Substitute Senate Bill No. 4329, and the amendment to the amendment was not adopted by the following vote: Yeas, 47; nays, 48; excused, 3.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fisch, Fiske, Fuhrman, Garrett, Hankins, Hastings, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Pruitt, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen,

Monohon, Moon, Nelson D. Niemi, O'Brien, Patrick, Powers, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Walk, Wang, Zellinsky, and Mr. Speaker - 48.
Excused: Representatives King R. Van Dyken, Vekich - 3.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 3, after line 31 insert:

"NEW SECTION. Sec. 6. There is added to chapter 43.51 RCW a new section to read as follows:

The commission shall adopt rules and regulations restricting or regulating parking in parking areas serving any portion of the land purchased by the state from the Milwaukee Railroad company under section 17 (21), chapter 143, Laws of 1981 managed as a recreational trail, which include requiring a parking permit issued by the commission. The fee for the issuance of the parking permit shall be determined by the commission. Fees collected shall be deposited in the state general fund."

Renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment to the committee amendment, and Representatives Rust and Patrick spoke against it.

Mr. Tilly spoke again in favor of the amendment to the committee amendment.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 3, after line 31 insert:

"NEW SECTION. Sec. 6. There is added to chapter 43.21C RCW a new section to read as follows:

An environmental impact statement shall be prepared by the state parks and recreation commission before the commission constructs or opens any portion of the land purchased by the state from the Milwaukee Railroad company under section 17 (21), chapter 143, Laws of 1981, for use as a recreational trail."

Renumber the remaining sections consecutively.

Representative Tilly spoke in favor of the amendment to the amendment, and Representatives Rust and Ellis spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Van Luven moved adoption of the following amendment to the committee amendment:

On page 2 after line 11 insert:

"(2) Close the corridor to commercial operators using carriages, wagons or other vehicles using wheels;"

Renumber the remaining subsections consecutively.

Representatives Van Luven and Addison spoke in favor of the amendment to the amendment, and Ms. Rust spoke against it.

The amendment to the committee amendment was not adopted.

Mr. C. Smith moved adoption of the following amendment by Representatives C. Smith and Rust to the committee amendment:

On page 5, after line 21 insert:

"(5) Approve and process the sale or exchange of lands or easements if (a) such a sale or exchange will not adversely affect the recreational, transportation or utility potential of the corridor and (b) the department has not entered into a lease of the property in accordance with section 9 of this act."

Representatives C. Smith and Rust spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 7, after line 16 insert:

"NEW SECTION. Sec. 10. The state of Washington shall be responsible for vandalism and other damages to adjacent property caused by trail users on the Milwaukee Road corridor open to the general public for use as a recreational trail and by trail users issued permits to travel the portions of the Milwaukee Road corridor under the management and control of the department of natural resources."

Renumber the remaining sections accordingly.

Representatives Tilly, Ballard, Nealey, C. Smith and Dickie spoke in favor of the amendment to the amendment, and Representatives Rust, Charnley, Ellis and Patrick spoke against it.

Representatives Ballard and Tilly spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the committee amendment to Engrossed Substitute Senate Bill No. 4329, and the amendment to the amendment was not adopted by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Garrett, Hankins, Hastings, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives King R, Van Dyken, Vekich - 3.

The committee amendment as amended was adopted.

Engrossed Substitute Senate Bill No. 4329 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 4607, by Senators Hughes, Lee, Talmadge and McDermott; by Department of Ecology request

Authorizing procedures to dispose of hazardous wastes.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 20, 1984.)

On motion of Ms. Rust, the committee amendments were adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 4306, by Committee on State Government (originally sponsored by Senator Warnke)

Modifying provisions relating to public health.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 43rd Day, February 20, 1984.)

On motion of Ms. Niemi, the committee amendment was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4306 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R. Van Dyken, Vekich - 3.

Substitute Senate Bill No. 4306 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4775, by Committee on Parks & Ecology (originally sponsored by Senator Hughes)

Establishing the parkland acquisition account.

The bill was read the second time. On motion of Mr. Charnley the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4775, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R. Van Dyken, Vekich - 3.

Engrossed Substitute Senate Bill No. 4775, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4578, by Committee on Parks & Ecology (originally sponsored by Senators Rinehart, Vognild, Owen and Granlund; by Parks and Recreation Commission request)

Revising certain boating safety provisions.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 20, 1984.)

Ms. Rust moved adoption of the committee amendments.

On motion of Ms. Rust, the following amendments by Representatives Rust and J. Williams to the committee amendments were adopted:

On page 4, line 5 after "The" insert "boating"

On page 4, line 18 after "this" strike "chapter" and insert "1984 act"

The committee amendments as amended were adopted.

On motion of Ms. Rust, the committee amendments to the title were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and J. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4578 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure,

McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Substitute Senate Bill No. 4578 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.

SUBSTITUTE SENATE BILL NO. 4849, by Committee on Commerce & Labor (originally sponsored by Senator Hughes)

Establishing the honorary commercial attache' program.

The bill was read the second time.

On motion of Mr. Tilly, the following amendments were adopted:

- On page 1, line 20 after "citizens of" strike "foreign" and insert "the United States and other"
- On page 2, line 3 after "office of," strike "foreign" and insert "international"
- On page 2, line 4 strike "foreign" and insert "international"
- On page 2, line 8 strike "foreign" and insert "international"
- On page 2, line 14 after "trade groups," strike "foreign" and insert "international"
- On page 2, line 35 strike "foreign" and insert "international"
- On page 4, line 15 after "office of" strike "foreign" and insert "international"
- On page 4, line 16 after "development of" strike "foreign" and insert "international"
- On page 4, line 21 strike "foreign" and insert "international"
- On page 4, line 22 after "analyze" strike "foreign" and insert "international"
- On page 4, line 24 after "close contact with" strike "foreign" and insert "international"
- On page 4, line 25 after "between" strike "foreign nations" and insert "nations other than the United States"
- On page 4, line 30 after "movement of" strike "foreign" and insert "international"
- On page 4, line 33 after "representatives in" strike "foreign countries" and insert "other nations"
- On page 4, line 34 after "state as" strike "a foreign" and insert "an international"
- On page 5, line 2 strike "foreign" and insert "international"

The bill was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3133, by Committee on Transportation (originally sponsored by Senators Peterson, Guess and Vogtild)

Modifying provisions relating to pilotage and pilot liability.

The bill was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3133, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Engrossed Substitute Senate Bill No. 3133, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4050, by Committee on Transportation (originally sponsored by Senator Peterson)

Exempting legal messengers from regulation by the utilities and transportation commission.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Sutherland, the committee amendment was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4050 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Substitute Senate Bill No. 4050 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4228, by Senators Fleming and McDermott

Changing the grounds for malicious harassment.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 22, 1984.)

Mr. McMullen moved adoption of the committee amendment.

Mr. G. Nelson moved adoption of the following amendment to the committee amendment:

On page 1, line 14 after "age," insert "occupation."

Mr. G. Nelson spoke in favor of the amendment to the amendment, and Mr. McMullen spoke against it.

The amendment was not adopted.

Ms. L. Smith moved adoption of the following amendment to the committee amendment:

On page 1, line 14 after "age," insert "sex."

Representatives L. Smith and Locke spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Bond moved adoption of the following amendment to the committee amendment:

On page 1, line 14 after "age," insert "weight."

Mr. Bond spoke in favor of the amendment to the amendment, and Mr. McMullen spoke against it.

The amendment was not adopted.

Mr. Padden moved adoption of the following amendment to the committee amendment:

On page 1, line 14 strike "sexual orientation."

Representatives Padden, Bond, Fuhrman and Schoon spoke in favor of the amendment to the amendment, and Representatives Lewis and Locke spoke against it.

The amendment to the amendment was not adopted.

Mr. Clayton moved adoption of the following amendment to the committee amendment:

On page 1, line 16 after "handicap" insert "or because that person is involved with or affected by a labor dispute"

Mr. Clayton spoke in favor of the amendment to the amendment, and Mr. McMullen spoke against it.

Mr. Clayton spoke again in favor of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clayton to the committee amendment to Engrossed Senate Bill No. 4228, and the amendment to the amendment was not adopted by the following vote: Yeas, 38; nays, 57; excused, 3.

Voiting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Smith C, Smith L, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Voiting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Excused: Representatives King R, Van Dyken, Vekich - 3.

MOTION

On motion of Mr. Heck, further consideration of Engrossed Senate Bill No. 4228 was deferred, and the bill was ordered placed on the second reading calendar following Engrossed Substitute Senate Bill No. 3415.

ENGROSSED SENATE BILL NO. 4513, by Senators Clarke, Talmadge and Hemstad; by Secretary of State request

Modifying provisions relating to corporations.

The bill was read the second time. On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4513, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voiting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Engrossed Senate Bill No. 4513, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3238, by Committee on Local Government (originally sponsored by Senators Zimmerman, Fleming and Bluechel; by Governor Spellman request)

Changing the planning and community affairs agency to the office of community programs.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 22, 1984.)

On motion of Ms. Niemi, the committee amendment was adopted.

On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and J. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3238 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Hastings, Walk - 2.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Substitute Senate Bill No. 3238 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3415, by Committee on Parks & Ecology (originally sponsored by Senators Hughes, Hurley, McDermott, Talmadge, Williams, Haley, Bauer and Lee)

Modifying guidelines on the use and management of state ground waters.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day, February 21, 1984.)

On motion of Ms. Rust, the committee amendments were adopted.

Mr. Kaiser moved adoption of the following amendment by Representatives Kaiser, Moon, C. Smith and Nealey:

On page 3, after line 26, insert the following:

NEW SECTION. Sec. 6. The legislature finds that growth of the state's population and economy places increasingly greater demands on available water resources, including this state's ground water supplies. The legislature also finds that chapter 90.44 RCW, popularly known as the Ground Water Code of 1945, protects the public welfare by providing an orderly system of rights to the beneficial use of water based upon the 'first in time is first in right' principle of the prior appropriation doctrine. The purpose of sections 7 and 8 of this act is to provide remedies to protect the right of a holder of a senior right to ground water to a safe sustaining yield of water.

NEW SECTION. Sec. 7. There is added to chapter 90.44 RCW a new section to read as follows:

(1) The remedies to protect the right of the holder of a senior water right to a safe sustaining yield of water include protection of the availability of water in the well or wells used to exercise that senior water right, without the wells or withdrawal works being significantly

modified, against interruption or other interference caused by the water works of, or the water withdrawal activities of, a person or persons exercising junior rights to ground water. Junior rights to ground water are those established subsequently to a senior right under the prior appropriation doctrine upon which this chapter is based.

(2) The holder of a senior water right is entitled to adequate compensation whenever the water works or water withdrawal activities of a person or persons exercising junior rights to ground water cause such an interruption or interference in that availability of water. Adequate compensation for the loss of that availability will be made if the holder of the senior right is provided with:

(a) An amount equivalent to the increased costs reasonably incurred by or reasonably to be incurred by the holder of the senior water right in securing and using water, to the full extent of the senior right, as a result of losing the availability protected by subsection (1) of this section. The full extent of the senior right includes any conditions that applied to the right such as the quantity and quality of the water, the location of use, and time of use;

(b) The delivery of water to the holder of the senior right. To qualify as compensation, the water delivered must be of a quantity equal to and a quality equivalent to that of the senior right. The delivery must also be under such conditions, including but not limited to timing and location, as applied to the senior right without increased costs being incurred by the senior rightholder; or

(c) The payment of just compensation pursuant to the exercise of eminent domain if the holder of the junior rights has been granted the power of eminent domain.

(3) In lieu of the forms of compensation provided by this section, the holder of the senior right to ground water may freely enter contractual agreements establishing other compensation.

(4) In any civil action brought under this section, if the court believes the legal remedies are inadequate or excessively harsh, it may provide such equitable relief as it believes appropriate. The court shall also provide such emergency relief as is appropriate for the protection of ground water rights.

(5) The department of ecology does not have any power to consider subsection (1) of this section when it decides whether to grant or deny a permit for the appropriation of ground water. However, all permits issued and to be issued under this chapter are subject to subsections (1) through (4) of this section. The department of ecology does not have any power to determine the amount of compensation required under this section. The department shall issue an order to stop the exercise of a junior right whenever it finds that sufficient information exists to show that exercising the right has resulted in or would result in such an interruption or interference in the availability of water that a holder of a senior right has the right to the remedy of adequate compensation under this section.

Sec. 8. Section 7, chapter 263, Laws of 1945 and RCW 90.44.070 are each amended to read as follows:

No permit shall be granted for the development or withdrawal of public ground waters beyond the capacity of the underground bed or formation in the given basin, district, or locality to yield such water within a reasonable or feasible pumping lift in case of pumping developments, or within a reasonable or feasible reduction of pressure in the case of artesian developments. ~~(The supervisor of water resources)~~ Except as provided otherwise in section 7 of this 1984 act, the director of ecology shall have the power to determine whether the granting of any ~~(such)~~ permit will injure or damage any vested or existing right or rights under prior permits and may in addition to the records of his office, require further evidence, proof, and testimony before granting or denying any such permits.

The granting of a permit by the director does not relieve the recipient of the permit of any liability for injuring or damaging vested or existing rights to water.

In multi-aquifer systems, the director may require, as permit conditions, the casing and sealing of wells or other construction techniques to: (1) Protect the use of the uppermost aquifer or aquifers of the system by persons with senior rights to ground water, or (2) protect the use of waters from the uppermost aquifer or aquifers for future domestic or similar uses, traditionally involving shallower wells, that the director finds to be vital for the support of future development of the overlying land.

NEW SECTION. Sec. 9. There is added to chapter 90.44 RCW a new section to read as follows:

(1) This section contains remedies designed to protect the holder of a ground water right against activities that cause damage or injury by adversely affecting the quality of the water for the use or uses to which the ground water right pertains. Any holder of a ground water right who sustains any damage or injury, whether to property or person, which is caused by activities that decrease the quality of the water for the use or uses to which the ground water right pertains, shall be entitled to recover full compensation for such damage or injury from the person or persons responsible for or conducting the activities. This subsection shall not affect or impair any other rights or remedies, whether prescribed by statute or case law, to recover compensation or obtain other relief for damage or injury caused by the impairment of water quality.

(2) In the case of saltwater intrusion caused by the overuse of a freshwater aquifer, the department shall preserve the rights of senior appropriators to fresh water by reducing the withdrawals authorized for the holders of junior water rights in a manner consistent with the prior appropriation system of rights.

NEW SECTION. Sec. 10. There is added to chapter 90.44 RCW a new section to read as follows:

In any civil action brought under section 7 or 9 of this act, the court may award attorney's fees to the prevailing party. The amount of fees awarded shall be reasonable and shall be fixed by the court.

NEW SECTION. Sec. 11. There is added to chapter 90.44 RCW a new section to read as follows:

Any person who provides compensation under section 7 or 9 of this act shall provide notice thereof to the department of ecology. The notice shall be on a form prescribed by the department and shall be sufficient to show the amount and nature of the compensation and any change in the water rights involved.

Sec. 12. Section 14, chapter 233, Laws of 1967 and RCW 90.14.140 are each amended to read as follows:

(1) For the purposes of this chapter 'sufficient cause' shall be defined as the nonuse of all or a portion of the water by the owner of a water right for a period of five or more consecutive years where such nonuse occurs as a result of:

((+)) (a) Drought, or other unavailability of water;

((2)) (b) Active service in the armed forces of the United States during military crisis;

((3)) (c) Nonvoluntary service in the armed forces of the United States;

((4)) (d) The operation of legal proceedings;

((5)) (e) Federal laws imposing land or water use restrictions, or acreage limitations, or production quotas;

(f) The use of water delivered as compensation under section 7(2) of this 1984 act so long as the nonused water right is not transferred separately from the land to which it is attached.

(2) Notwithstanding any other provisions of this chapter, there shall be no relinquishment of any water right:

((+)) (a) If such right is claimed for power development purposes under chapter 90.16 RCW and annual license fees are paid in accordance with chapter 90.16 RCW, or

((2)) (b) If such right is used for a standby or reserve water supply to be used in time of drought or other low flow period so long as withdrawal or diversion facilities are maintained in good operating condition for the use of such reserve or standby water supply, or

((3)) (c) If such right is claimed for a determined future development to take place either within fifteen years of the effective date of this act, or the most recent beneficial use of the water right, whichever date is later, or

((4)) (d) If such right is claimed for municipal water supply purposes under chapter 90.03 RCW, or

((5)) (e) If such waters are not subject to appropriation under the applicable provisions of RCW 90.40.030 as now or hereafter amended.

Sec. 13. Section 6, chapter 263, Laws of 1945 and RCW 90.44.060 are each amended to read as follows:

Applications for permits for appropriation of underground water shall be made in the same form and manner provided in RCW 90.03.250 through 90.03.340, as amended, the provisions of which sections, except as provided to the contrary in section 7 of this 1984 act, are hereby extended to govern and to apply to ground water, or ground water right certificates and to all permits that shall be issued pursuant to such applications, and the rights to the withdrawal of ground water acquired thereby shall be governed by RCW 90.03.250 through 90.03.340, inclusive: PROVIDED, That each application to withdraw public ground water by means of a well or wells shall set forth the following additional information: (1) the name and post office address of the applicant; (2) the name and post office address of the owner of the land on which such well or wells or works will be located; (3) the location of the proposed well or wells or other works for the proposed withdrawal; (4) the ground water area, sub-area, or zone from which withdrawal is proposed, provided the supervisor of water resources has designated such area, sub-area, or zone in accord with RCW 90.44.130; (5) the amount of water proposed to be withdrawn, in gallons a minute and in acre feet a year, or millions of gallons a year; (6) the depth and type of construction proposed for the well or wells or other works: AND PROVIDED FURTHER, That any permit issued pursuant to an application for constructing a well or wells to withdraw public ground water may specify an approved type and manner of construction for the purposes of preventing waste of said public waters and of conserving their head.

NEW SECTION. Sec. 14. 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."

Representatives Kaiser and C. Smith spoke in favor of the amendment, and it was adopted.

On motion of Ms. Rust, the committee amendments to the title were adopted.

On motion of Mr. Kaiser, the following amendment to the title was adopted:

On page 1, line 2 of the title after "90.54.020," insert "amending section 7, chapter 263, Laws of 1945 and RCW 90.44.070; amending section 14, chapter 233, Laws of 1967 and RCW 90.14.140; amending section 6, chapter 263, Laws of 1945 and RCW 90.44.060; creating a new section; adding new sections to chapter 90.44 RCW;"

On motion of Ms. Belcher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3415 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luvan, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King R, Van Dyken, Vekich - 3.

Engrossed Substitute Senate Bill No. 3415 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4228:

The House resumed consideration of the bill on second reading.

Mr. Barnes moved adoption of the following amendment to the committee amendment:

On page 1 strike lines 12 through 16 and insert "(~~because of that person's race, color, religion, ancestry, or national origin~~):"

Representatives Barnes, Barrett and Padden spoke in favor of the amendment, and Representatives Locke, McMullen and D. Nelson spoke against it.

Mr. Locke again opposed the bill, and Mr. Barnes spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to the committee amendment to Engrossed Senate Bill No. 4228, and the amendment to the amendment was not adopted by the following vote: Yeas, 44; nays, 50; absent, 1; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Luvan, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Walk, Wang, and Mr. Speaker - 50.

Absent: Representative Prince - 1.

Excused: Representatives King R, Van Dyken, Vekich - 3.

The committee amendment as amended was adopted.

Engrossed Senate Bill No. 4228 as amended by the House was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 22, 1984

HCR 33 Prime Sponsor, Representative Fisch: Urging the state institute for public policy to maximize the use of state employees in performing its research. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, R. King, Lux, D. Nelson, O'Brien, Sayan, Silver and Walk.

Voting nay: Representatives Bond, Hankins, Nealey and J. Williams.

Absent: Representatives Johnson, Kaiser and Taylor.

Passed to Committee on Rules for second reading.

February 22, 1984

ESSB 3622 Prime Sponsor, Committee on State Government: Creating the legislative facilities committee to provide legislative control over legislative buildings. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 4, beginning on line 13 after "created," strike all material down through "section." on line 22 and insert:

"The committee shall be composed of the members of the executive committee on rules of the house of representatives and the committee on facilities and operations of the senate.

The powers of the committee are subject to the following limitations: (1) the majority vote of the committee shall be necessary for any decision of the committee relating to the legislative building and such vote shall include the affirmative votes of both a majority of the senators on the committee and a majority of the representatives on the committee. (2) Any decision relating to any other building shall be made by a majority vote of all the members on the committees from that house occupying one-half or more of the building. For purposes of any decision made under item (2), the committee shall be considered to be composed only of the members from that house occupying one-half or more of the building."

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, R. King, Lux, D. Nelson, Sayan and Walk.

Voting nay: Representatives Hankins, Johnson, Nealey, Silver and J. Williams.

Absent: Representatives Kaiser, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

February 22, 1984

SB 3834 Prime Sponsor, Senator Bottiger: Equalizing the authority of municipalities to impose local sales taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Cantu, Hastings and Struthers.

Voting nay: Representatives Addison, Bond, Cantu, Hastings, Struthers, Taylor and Vander Stoep.

Absent: Representatives Brekke, Sanders and Tilly.

Passed to Committee on Rules for second reading.

February 22, 1984

ESSB 3901 Prime Sponsor, Committee on Commerce & Labor: Regulating agreements between suppliers and wholesale distributors of malt beverages and wine. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 12 before "(b)" strike "or"

On page 2, line 14 after "66.24.206" and before the period insert "; (c) any brewer licensed under RCW 66.24.240 and producing less than fifty thousand barrels of malt liquor annually; or (d) any brewer or manufacturer of malt liquor producing less than fifty thousand barrels of malt liquor annually and holding a certificate of approval issued under RCW 66.24.270"

On page 2, line 29 after "resale" strike "in its respective distribution area"

On page 3, line 14 after "cancel," strike "fail to renew,"

On page 3, line 16 after "such termination" strike "or nonrenewal"

On page 3, line 26 after "cancel," strike "fail to renew,"

On page 3, line 35 strike "fail to renew,"

On page 3, line 36 after "termination" strike "or nonrenewal"

On page 4, line 2 after "intended termination," insert "or"

On page 4, line 2 after "cancellation," strike "or nonrenewal"

On page 4, line 5 after "proposed termination" insert "or"

On page 4, line 6 strike "or nonrenewal"

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Walk, B. Williams and Wilson.

Voting nay: Representatives Braddock, Niemi and Padden.

Absent: Representatives Kaiser, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.

February 22, 1984

E2SSB 3982 Prime Sponsor, Committee on Commerce & Labor: Establishing the small business improvement council. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. (1) There is established the small business improvement council to consist of at least fifteen but not more than thirty members to be appointed by the governor. In making the appointments, the governor shall consider the recommendations of business organizations and persons operating small businesses. At least fifteen percent of the members of the council shall be women or members of minority groups, and at least one member of the council shall represent agribusiness concerns. Members of the small business improvement council shall be appointed for terms of four years, but the governor may modify the terms of the initial members as necessary to achieve staggered terms. The council shall elect a chairman from among its members.

(2) Members of the small business improvement council shall not be compensated or be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) The department of commerce and economic development or its successor agency shall provide staff support and administrative assistance to the council.

NEW SECTION, Sec. 2. The small business improvement council shall seek to identify regulatory, administrative, and legislative proposals that will improve the environment for small businesses. The small business improvement council shall submit its proposals to the governor and the appropriate standing committees of the legislature prior to the convening of each regular session of the legislature. The proposals shall include the recommendations of the council's subcommittees established under section 3 of this act.

NEW SECTION, Sec. 3. (1) The small business improvement council may establish such subcommittees and task forces as the council deems necessary. Membership of subcommittees and task forces need not be limited to members of the council.

(2) Subcommittees of the council shall include:

(a) A subcommittee on small business taxation;

(b) A subcommittee on small business venture and management education;

(c) A subcommittee on private sector contract services; and

(d) Other subcommittees as deemed necessary on appropriate subjects, i.e., capital formation and retention, marketing, unemployment compensation, and rules and regulations.

(3) The department of commerce and economic development shall assist the council in the formation of local advisory councils in each legislative district throughout the state. The persons serving on the local advisory councils shall not be compensated or reimbursed for travel expenses.

NEW SECTION, Sec. 4. The subcommittee on small business taxation shall study the present business tax structure and investigate related proposals to attract and encourage small businesses in the state. In fulfilling this function, the subcommittee may establish local small business

advisory councils throughout the state. Members of the local advisory councils shall not be compensated or reimbursed for travel expenses.

The subcommittee on small business taxation may conduct studies, hold public hearings, and employ consultants as necessary to carry out the purposes of the subcommittee.

NEW SECTION. Sec. 5. The subcommittee on small business venture and management education shall recommend the implementation of small business venture and management education programs in the state's community colleges and vocational-technical institutes. Such education programs shall provide instruction in the formation, operation, and management of a small business. The subcommittee shall recommend curriculum, promotion, and marketing of these education programs. Emphasis shall be given to part-time, evening, and weekend class offerings.

NEW SECTION. Sec. 6. The subcommittee on private sector contract services shall have as its mission the identification of program and service areas within state and local government which can and should be contracted out on a competitive bid basis to private sector organizations. In particular, the subcommittee shall identify those governmental services that the private sector can perform more efficiently than the public sector, with equal or better quality of service. The goal of this program is to reduce the cost of government while improving the delivery of services.

The subcommittee on private sector contract services shall include representatives of government, business, and industry.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 8. There is appropriated to the office of small business in the department of commerce and economic development for the biennium ending June 30, 1985, from the general fund the sum of thirty-seven thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 9. There is added to chapter 43.131 RCW a new section to read as follows:

The small business improvement council and its powers and duties shall be terminated on June 30, 1987, as provided in section 10 of this act.

NEW SECTION. Sec. 10. There is added to chapter 43.131 RCW a new section to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1988:

- (1) Section 1, chapter _____, Laws of 1984 and RCW 43. _____ (section 1 of this act);
- (2) Section 2, chapter _____, Laws of 1984 and RCW 43. _____ (section 2 of this act);
- (3) Section 3, chapter _____, Laws of 1984 and RCW 43. _____ (section 3 of this act);
- (4) Section 4, chapter _____, Laws of 1984 and RCW 43. _____ (section 4 of this act);
- (5) Section 5, chapter _____, Laws of 1984 and RCW 43. _____ (section 5 of this act); and
- (6) Section 6, chapter _____, Laws of 1984 and RCW 43. _____ (section 6 of this act)."

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Walk, B. Williams and Wilson.

Voting nay: Representatives Tanner, Vice Chair; Braddock, Niemi and Padden.

Absent: Representatives Kaiser, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.

February 22, 1984

SB 4286 Prime Sponsor, Senator Vognild: Repealing provisions relating to special taxes on coin-operated devices. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Stratton, Walk, B. Williams and Wilson.

Absent: Representatives Kaiser, Smitherman, Tilly, Van Dyken and Wilson.

Passed to Committee on Rules for second reading.

February 22, 1984

SB 4300 Prime Sponsor, Senator Peterson: Authorizing participation by members of affiliated nonprofit organizations in chapter's gambling activities. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do Pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Niemi, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Stratton, Walk and Wilson.

Voting nay: Representative B. Williams.

Absent: Representatives Kaiser, Smitherman, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4321 Prime Sponsor, Committee on State Government: Revising the laws governing the state library. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 after "Sec. 1." strike all material down to and including "Sec. 2." on page 2, line 16.

Re-number the remaining sections consecutively.

On page 1, line 1 of the title after "library;" strike all material down to and including "RCW 27.04.020;" on line 3

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Kaiser, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

February 17, 1984

ESSB 4403 Prime Sponsor, Committee on Ways & Means: Revising provisions relating to health care costs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.010 are each amended to read as follows:

The primary purpose of this chapter is to promote the economic delivery of high quality, necessary, and effective (~~hospital~~) health care services to the people by establishing a hospital commission with authority over financial disclosure (~~and~~), budget (~~and~~), prospective rate (~~review~~) approval, and other related matters, including authority to develop a hospital reimbursement control system, which will assure all purchasers of (~~hospital~~) health care services that total hospital costs are reasonably related to total services, that costs do not exceed those that are necessary for prudently and reasonably managed hospitals, that hospital rates are reasonably related to aggregate costs, and that such rates are set equitably among all purchasers of these services without undue discrimination.

The legislature finds and declares that rising hospital costs are a vital concern to the people of this state because of the danger which is posed that hospital and health care services are fast becoming out of the economic reach of the majority of our population. It is further declared that health care is a right of the people and one of the primary purposes for which governments are established, and it is, therefore, essential that an effective cost control program be established (~~which will both enable and motivate hospitals to control their spiraling costs~~). It is the legislative intent, in pursuance of this declared public policy, to provide for uniform measures on a state-wide basis to control hospital (~~costs~~) rates without the sacrifice of quality of service or reasonable access to necessary health care.

The legislature further finds and declares that: (1) There is an increased need for comprehensive public oversight of the costs of and expenditures for health care services; (2) no one should be denied access to necessary health care because of poverty or unemployment, and that the costs of providing charity care should be distributed equitably among hospitals across the state; (3) access to necessary health care in rural areas must be assured; (4) the hospital commission and the public need additional information to make better-informed decisions about health care costs and charges; (5) there is a need to encourage market penetration of alternative health care delivery systems that have internal incentives to control costs and stimulate market competition, and that some regulatory policies have impeded health care cost containment by unduly restricting competition; (6) there is a need for more effective assessment of the impact of technology on the cost and delivery of health care services so that appropriate public policies may be adopted; and (7) the hospital commission should be more representative of a diversity of public interests so that it can more effectively carry out its mission.

It is the intent of the 1984 amendments to this chapter to strengthen certain regulatory policies which have had limited success in containing hospital costs since this chapter was enacted, and to promote constructive competition among health care delivery systems in order to restrain the spiraling growth of health care costs to all the people of the state. This policy is to be achieved by requiring the commission to review and approve rates for hospital care, permitting purchasers of such care to seek and obtain discounts from such rates through negotiation with hospitals or other entities providing health care services, provided that the discounts do not result in cost-shifting to other purchasers, and requiring the collection and public disclosure of information necessary for prospective patients and purchasers of health care services to make informed choices.

Sec. 2. Section 3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020 are each amended to read as follows:

As used in this chapter:

(1) 'Commission' means the hospital rate commission of the state of Washington as created by this chapter;

(2) 'Consumer' means any person whose occupation is other than the administration of health activities or the providing of health services, who has no fiduciary obligation to a health facility or other health agency, and who has no material financial interest in the rendering of health services;

(3) 'Hospital' means any health care institution which is required to qualify for a license under RCW 70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW, but shall not include beds utilized by a comprehensive cancer center for cancer research, or any health care institution conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any church or denomination.

(4) 'Diagnosis-related groups' is a classification system that groups hospital patients according to principal and secondary diagnosis, presence or absence of a surgical procedure, age, presence or absence of significant comorbidities or complications, and other relevant criteria, an example of which has been adopted as the basis for prospective payment under the federal medicare program by the social security amendments of 1983, Public Law 98-21.

(5) 'Medical technology' means the drugs, devices, and medical or surgical procedures used in the delivery of health care, and the organizational or supportive systems within which such care is provided.

(6) 'Technology assessment' means a comprehensive form of policy research that examines the technical, economic, and social consequences of technological applications, including the indirect, unintended, or delayed social or economic impacts. In health care, such analysis must evaluate efficacy and safety as well as efficiency.

(7) 'Charity care' means necessary hospital health care rendered to indigent persons, to the extent that the persons are unable to pay for the care or to pay deductibles or co-insurance amounts required by a third-party payer, as determined by the commission: PROVIDED, That the first two hundred fifty dollars of any deductible or co-insurance amount payable by a patient shall not be considered a part of the cost of charity care under sections 15 and 16 of this 1984 act.

(8) 'Rate' means the maximum revenue which a hospital may receive for each unit of service, as determined by the commission.

(9) 'Comprehensive cancer center' means an institution and its research programs as recognized by the National Cancer Institute prior to April 20, 1983.

Sec. 3. Section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030 are each amended to read as follows:

(1) There is hereby created a hospital rate commission, which shall be a separate and independent commission of the state. The commission shall be composed of ~~((five))~~ nine members appointed by the governor ~~(--and generally representative of the public as consumers, labor, business, and hospitals, and shall be individuals concerned with the delivery of quality health care, but in no event shall more than two members have any fiduciary obligation to a health facility or other health agency, nor any direct financial interest in the rendering of health services. In cases when proposed rate increases for osteopathic hospitals are to be considered, the representative of osteopathic hospitals on the technical advisory committee shall replace a hospital representative on the commission))~~ as follows:

(a) Three members representing consumers of health care services, at least one of whom represents the interests of low-income persons;

(b) One member representing private employers;

(c) One member representing labor;

(d) One member representing hospitals, but in cases in which rates for an osteopathic hospital are to be considered, the representative of osteopathic hospitals on the technical advisory committee shall replace the hospital representative on the commission;

(e) One member representing health care professionals licensed under Title 18 RCW;

(f) One member representing commercial health insurers or health care service contractors; and

(g) The secretary of social and health services, or the secretary's designee, representing the interests of the state as a major purchaser of health care services.

(2) Except for the members designated in subsection (1) (d) and (e) of this section, members shall not have any fiduciary obligation to any health care facility or any material financial interest in the provision of health care services.

Sec. 4. Section 5, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 36, Laws of 1977 and RCW 70.39.040 are each amended to read as follows:

Except for the secretary of social and health services or the secretary's designee, members of the commission shall serve for four-year terms(~~(: PROVIDED. That upon the expiration of the initial four-year terms, two persons shall be appointed for three-year terms and three persons for four-year terms and thereafter all members of the commission shall serve for four-year terms)~~). Appointments shall require senate confirmation. No member shall serve on the commission for more than two consecutive terms. A vacancy shall be filled by appointment for the remainder of the unexpired term and the initial appointments and vacancies shall not require senate confirmation until the legislature next convenes. ~~Of the three additional members, other than the secretary, appointed after the effective date of this 1984 act, two shall initially be appointed for two-year terms and one for a three-year term.~~

Sec. 5. Section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050 are each amended to read as follows:

~~(The)~~ A member representing consumers of health care services and designated by the governor shall serve as chairman. The commission shall elect from its members a vice-chairman biennially. Meetings of the commission shall be held as frequently as its duties require. The commission shall keep minutes of its meetings and adopt procedures for the governing of its meetings, minutes, and transactions.

~~(Three)~~ Five members shall constitute a quorum, but a vacancy on the commission shall not impair its power to act. No action of the commission shall be effective unless ~~(three)~~ five members concur therein.

The members of the commission shall receive no compensation for their service as members but, with the exception of the secretary of social and health services or the secretary's designee, the members shall be reimbursed for their expenses while attending meetings of the commission in the same manner as legislators engaged in interim committee business as in RCW 44.04.120.

Sec. 6. Section 7, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 35, Laws of 1977 and RCW 70.39.060 are each amended to read as follows:

The commission ~~(shall appoint)~~ may employ a full time executive director ~~(and)~~, a deputy director, an associate director for budget and rate review, an associate director for program planning and research, and a confidential secretary who shall be exempt from the civil service law, chapter 41.06 RCW and who shall perform the duties delegated by the commission. The executive director shall be the chief administrative officer of the commission and shall be subject to its direction.

The commission shall employ such other staff as are necessary to fulfill the responsibilities and duties of the commission, such staff to be subject to the civil service law, chapter 41.06 RCW, and under the supervision of the executive director. In addition, the commission may contract with third parties for services necessary to carry out its activities where this will promote economy, avoid duplication of effort, and make best use of available expertise.

Any such contractor or consultant shall be prohibited from releasing, publishing, or otherwise using any information made available to it under its contractual responsibility, without specific permission of the commission.

The commission may apply for and receive and accept grants, gifts, and other payments, including property and service, from any governmental or other public or private entity or person, and may make arrangements as to the use of these receipts, including the undertaking of special studies and other projects relating to hospital health care costs.

Sec. 7. Section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070 are each amended to read as follows:

In order to assist the commission in carrying out its duties, the governor shall appoint a technical advisory committee, hereinafter referred to as 'committee', which shall consist of ~~(eleven)~~ seventeen members as follows:

(1) One member who shall be a certified public accountant licensed pursuant to chapter 18.04 RCW and who shall be knowledgeable in the financial affairs of hospitals.

(2) ~~(One)~~ Two members who shall be ~~(a)~~ health care practitioners, one of whom shall be a physician, licensed under the laws of this state and who shall be knowledgeable in hospital administration.

(3) ~~(Five)~~ Six members who shall be representative of the interest of investor-owned, district, not-for-profit, osteopathic, ~~(and)~~ university, and rural hospitals.

(4) One member who shall be representative of consumers of health care.

(5) One member who shall be the secretary of the department of social and health services, or ~~(his)~~ the secretary's designee, to provide continuing liaison, data and support from

those functions of the department which may affect the responsibilities of the commission and to represent the department as a purchaser of health care services.

(6) One member who shall be ~~((the director of the planning and community affairs agency, or his designee, to provide continuing liaison with the planning efforts of the comprehensive health planning council))~~ the executive director of the state health coordinating council established under RCW 70.38.055.

(7) One member of the commission, elected by the commission.

(8) One member who shall be representative of private employers.

(9) One member who shall be representative of commercial health insurers registered and doing business in the state under Title 48 RCW.

(10) One member who shall be representative of health care service contractors, as defined in RCW 48.44.010.

(11) One member who shall be representative of health maintenance organizations, as defined in RCW 48.46.030.

Except for the members designated in subsections (2), (3), (10), and (11) of this section, members of the committee shall not have any fiduciary obligation to any health care facility or any material financial interest in the provision of health care services.

With the exception of members designated in subsections (5) and (6) of this section, the members shall serve concurrently and shall have four-year terms. Any vacancy shall be filled by appointment by the governor and an appointee selected to fill such vacancy shall hold office for the balance of the term for which his predecessor was appointed. The committee shall elect from its members a chairman and a vice-chairman to serve concurrently with the chairman. The executive director of the commission shall act as executive secretary to the committee, and the commission shall otherwise offer such staff services and supplies as the committee may require to carry out its responsibilities.

The committee shall meet on call of the chairman of the commission, or on request of a majority of the commission. Members of the committee shall serve without compensation for their service as members but, except for those designated in subsections (5) and (6) of this section, shall be reimbursed for their expenses in the same manner as members of the commission.

Sec. 8. Section 9, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.080 are each amended to read as follows:

The committee shall have the duty upon the request of the commission to consult with and make recommendations to the commission:

(1) On matters of public policy related to the delivery of health care services;

(2) On rules and regulations proposed by the commission to implement this chapter;

(3) On analyses and studies of hospital health care costs and related matters which may be undertaken by the commission including the impact of professional liability upon the cost of health care and the effect prospective payment systems may have on such liability; ~~((and))~~

(4) On any issue related to medical technology or technology assessment in the area of health care; and

(5) On such other matters as the commission may refer.

Sec. 9. Section 10, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.090 are each amended to read as follows:

To further the purposes of this chapter, the commission may create committees from its membership, and may create such ad hoc advisory committees in specialized fields, related to the functions of hospitals, the delivery of health care services, economic issues concerning health care, technology assessment, and such other subjects as it deems necessary, to supplement the resources provided by the technical advisory committee.

Sec. 10. Section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100 are each amended to read as follows:

(1) The commission, after study and in consultation with advisory committees, if any, shall establish by the promulgation of rules and regulations pursuant to the Administrative Procedure Act, chapter 34.04 RCW, a uniform system of accounting and financial reporting, including such cost allocation methods as it may prescribe, by which hospitals shall record and report to the commission their revenues, expenses, other income, other outlays, assets and liabilities, and units of service. All hospitals shall adopt the system for their fiscal year period to be effective at such time and date as the commission shall direct. In determining the effective date for reporting requirements, the commission shall be mindful both of the immediate need for uniform hospital reporting information to effectuate the purposes of this chapter and the administrative and economic difficulties which hospitals may encounter in conversion, but in no event shall such effective date be later than two and one-half years from the date of the formation of the commission.

(2) In establishing such accounting systems and uniform reporting procedures, the commission shall take into consideration:

(a) Existing systems of accounting and reporting presently utilized by hospitals;

(b) Differences among hospitals according to size; financial structure; methods of payment for services; and scope, type, and method of providing services; and

(c) Other pertinent distinguishing factors.

(3) The commission shall, where appropriate, provide for modification, consistent with the purposes of this chapter, of reporting requirements to correctly reflect these differences among hospitals, and to avoid otherwise unduly burdensome costs in meeting the requirements of the uniform system of accounting and financial reporting.

(4) The accounting system, where appropriate, shall be structured so as to establish and differentiate costs incurred for patient-related services rendered by hospitals, as distinguished from those incurred with reference to educational research and other nonpatient-related activities including but not limited to charitable activities of such hospitals.

(5) The commission shall collect and maintain patient discharge data, including data necessary for identification of discharges by diagnosis-related groups. So far as possible, the data collection procedures shall be coordinated with any similar procedures or requirements of the federal department of health and human services for the medicare program and the needs of the department of social and health services in gathering public health statistics, in order to minimize any unduly burdensome reporting requirements imposed on hospitals.

Sec. 11. Section 12, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.110 are each amended to read as follows:

(1) Each hospital shall file annually, at such time as the commission may prescribe, its proposed budget for the next fiscal year, showing projected revenues and expenses and including such further information as the commission may require to implement the purposes of this chapter.

(2) Each hospital shall file annually with the commission after the close of the fiscal year:

(a) A balance sheet detailing the assets, liabilities, and net worth of the hospital;

(b) A statement of income and expenses; and

(c) Such other reports of the costs incurred in rendering services as the commission may prescribe.

~~((2))~~ (3) Where more than one licensed hospital is operated by the reporting organization, the information required by this section shall be reported for each hospital separately.

~~((3))~~ (4) The commission shall require certification of specified financial reports by the hospital's certified public accountant, and may require attestation as to such statements from responsible officials of the hospital that such reports have to the best of their knowledge and belief been prepared in accordance with the prescribed system of accounting and reporting.

~~((4))~~ (5) All reports, except privileged medical information, filed under this chapter shall be ~~(open to)~~ available for public inspection and copying under RCW 42.17.250 through 42.17.340.

~~((5))~~ (6) The commission shall ~~(have the right of inspection of)~~ inspect hospital books, audits, and records as reasonably necessary to ~~(verify hospital reports)~~ implement the policies and purposes of this chapter.

Sec. 12. Section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120 are each amended to read as follows:

(1) The commission shall from time to time undertake analyses and studies relating to ~~(hospital)~~ the need for and delivery of health care services, the availability of such services, hospital rates, health care costs, and ~~(to)~~ the financial status of any hospital or hospitals subject to the provisions of this chapter, and may publish and disseminate such information as it deems desirable in the public interest. It shall further ~~(require the filing of)~~ publish information concerning the ~~(total financial needs of each hospital and the resources available or expected to become available to meet such needs, including the effect of proposals made by area-wide and state comprehensive health planning agencies)~~ need for health care services identified by area-wide and state comprehensive health planning agencies under chapter 70.38 RCW and the extent to which such needs are being met.

(2) The commission shall also prepare and file such summaries and compilations or other supplementary reports based on the information filed with the commission hereunder as will advance the purposes of this chapter.

(3) The commission shall furnish a copy of any report regarding any hospital to the chief executive officer of the hospital and the presiding officer of the hospital's governing body.

Sec. 13. Section 14, chapter 5, Laws of 1973 1st ex. sess. as amended by section 82, chapter 75, Laws of 1977 and RCW 70.39.130 are each amended to read as follows:

The commission shall prepare and, prior to each legislative session beginning in January, transmit to the governor and to the legislature an annual report of commission operations and activities for the preceding fiscal year. This report shall include such findings and recommendations as the commission ~~(deems necessary)~~ believes will further the legislative goal of cost containment in the delivery of good quality health care services, including cost-containment programs that have been or might be adopted, and issues of access to good quality care. The report shall also include data on the amount and proportion of charity care provided by each hospital and shall identify any hospital whose level of charity care appears to contribute to a disproportionate level of charity care in other hospitals in the same community or geographic area. The commission's report for 1986, to be submitted in January 1987, shall include an analysis of the impacts of sections 15 and 16 of this 1984 act on (1) the use by indigent persons of health care settings other than hospitals and (2) the caseloads and costs associated with the

limited casualty program for medical indigents under RCW 74.09.700. The department of social and health services and the health systems agencies established under chapter 70.38 RCW shall provide such information and assistance as the commission may reasonably require in preparing the report on the impact of sections 15 and 16 of this 1984 act.

Sec. 14. Section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140 are each amended to read as follows:

From and after a date not less than twelve months but not more than twenty-four months after the adoption of the uniform system of accounting and financial reporting required by RCW 70.39.100, as the commission may direct, the commission shall have the power to initiate such reviews or investigations as may be necessary to assure all purchasers of ((hospital)) health care services that the total costs of a hospital are reasonably related to the total services offered by that hospital, that costs do not exceed those that are necessary for prudently and reasonably managed hospitals, that the hospital's ((aggregate revenues as expressed by)) rates are reasonably related to the hospital's aggregate costs; and that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

Effective March 31, 1984, if section 16 of this 1984 act takes effect, this chapter does not preclude any hospital from charging any particular payer or purchaser rates that are less than those approved by the commission, provided that the discounted rates shall not result in any shifting of costs to its other payers or purchasers in the current or any subsequent year.

Until such time as either the program set forth in section 16 of this 1984 act actually becomes operative, or the legislature approves a hospital reimbursement control system, only those hospitals which the commission determines to be above their respective regional average may negotiate discounts. Any discount shall be cost justified and the commission may retrospectively disapprove such discount if the commission determines the discount will result in shifting of costs to other payers or purchasers. Such discounts, including the terms thereof, shall be filed with the commission within ten working days and be made available for public inspection in accordance with procedures established by the commission by rule.

In order to properly discharge these obligations, the commission shall have full power to review projected annual revenues and approve the reasonableness of rates proposed to generate that revenue established or requested by any hospital subject to the provisions of this chapter. No hospital shall charge for services at rates ((other than)) exceeding those established in accordance with the procedures established hereunder. After June 30, 1985, rates for inpatient care shall be expressed using an appropriate measure of hospital efficiency, such as that based on diagnosis-related groups, and, if necessary for federal medicare participation in a hospital reimbursement control system, hospitals shall charge for such care at rates prospectively established and expressed in terms of a comparable unit of total payment, such as diagnosis-related groups. In the event any hospital reimbursement control system is implemented, children's hospitals shall be exempted until such time as a pediatric based classification system which reflects the unique resource consumption by patients of a children's hospital is perfected. For the purposes of this exemption, children's hospitals are defined as hospitals whose patients are predominantly under eighteen years of age.

In the interest of promoting the most efficient and effective use of ((hospital)) health care service, and providing greater promise of hospital cost containment, the commission may ((promote and approve alternative methods of rate determination and payment of an experimental nature that may be in the public interest and consistent with the purposes of this chapter)) develop a hospital reimbursement control system in which all payers or purchasers participate, that includes procedures for establishing prospective rates, that deals equitably with the costs of providing charity care, and that includes the participation of the federal medicare program under the social security amendments of 1983, Public Law 98-21. The commission shall have the authority to require utilization reviews of all patient care to ensure that hospital admissions and services provided are medically justified. The commission may seek approval, concurrence, or participation in such a system from any federal agency, such as the department of health and human services, prior to securing legislative approval pursuant to concurrent resolution for implementation of any hospital reimbursement control system developed pursuant to this section. The commission shall involve the legislature in the development of any plan for a hospital reimbursement control system.

The commission shall serve as the state agency responsible for coordinating state actions and otherwise responding and relating to the efforts of the ((cost of living council, or its successor)) federal department of health and human services in planning and implementing federal cost containment programs with respect to hospitals and related health care institutions as authorized by the ((Federal Economic Stabilization Act of 1970)) social security amendments of 1983, as now or hereafter amended, or other federal law, and any rules or regulations promulgated thereto. In carrying out this responsibility, the commission may ((serve as the state agency responsible for recommending increases in rates for hospitals and related health care institutions to the cost of living council, or its successor; may apply to the cost of living council for authorization to administer a control program in Washington state in lieu of the federal controls established and otherwise administered by the cost of living council; may)) assume

~~((another)) any function or role authorized by appropriate federal regulations implementing the ((Federal Economic Stabilization Act of 1970)) social security amendments of 1983; or assume any combination of such roles or functions as it may determine will most effectively contain the rising costs of the varying kinds of hospitals and related health care institutions in Washington state. In determining its functions or roles in relation to ((the)) federal efforts ((to the cost of living council, or its successor)), the commission shall seek to ensure coordination, and the reduction of duplicatory cost containment efforts, by the state and federal governments, as well as the diligent fulfillment of the purposes of this chapter and declared public policy and legislative intent herein((-PROVIDED, HOWEVER, That in cases where the rates of nursing homes or similar health institutions are subject to review pursuant to the provisions of the Federal Economic Stabilization Act of 1970 or any rules or regulations promulgated thereto, the members of the commission representing hospitals shall not sit in the proceedings nor vote, and the governor shall appoint an ad hoc member representing nursing homes or similar health institutions in lieu thereof, who shall have the same powers as the other members with respect to such review only)).~~

Nothing in this chapter limits the ability of the department of social and health services to establish hospital payment rates pursuant to RCW 74.09.120 or in accord with a federally approvable state plan under Title XIX of the federal social security act.

NEW SECTION. Sec. 15. There is added to chapter 70.39 RCW a new section to read as follows:

Within six months of the effective date of this act, the commission shall establish by rule, consistent with the definition of charity care under RCW 70.39.020, the following:

(1) Uniform procedures, data requirements, and criteria for identifying patients receiving charity care;

(2) Uniform discounted payment schedules to be applied to patients receiving charity care, taking into account gross income, number of legal dependents, and other appropriate factors;

(3) A definition of residual bad debt as a component of hospital rate-setting and budget review, including reasonable and uniform standards for collection procedures to be used in efforts to collect the unpaid portions of hospital charges that are the patient's responsibility;

(4) A method for applying the charity care cost distribution system established in section 16 of this act to hospitals operated by health maintenance organizations, as defined in RCW 48.46.030, including the option of providing charity care through enrollment of persons under health maintenance agreements.

NEW SECTION. Sec. 16. There is added to chapter 70.39 RCW a new section to read as follows:

(1) Not later than October 1, 1985, the commission shall determine the regional average percentage of the budgets of hospitals reflecting charity care as defined in section 15 of this act by the hospitals in each region during their most recent complete fiscal year. For purposes of this section, the state shall be divided into four regions with the same boundaries as the four health service areas established pursuant to RCW 70.38.085. In no event shall the commission make the initial determinations later than March 31, 1985. The commission shall update the regional averages based on actual reported charity care levels as necessary for integration into the hospital and rate review process for fiscal years beginning on or after January 1, 1986. The regional averages based on actual calendar year 1985 charity care levels shall be effective for the purposes of this chapter through December 31, 1988.

(2) Information submitted by hospitals for commission review for each hospital fiscal year beginning on or after January 1, 1986, shall indicate, consistent with the definitions promulgated by the commission pursuant to this chapter, the amount of charity care to be provided during the forthcoming fiscal year. Each hospital may also submit semiannual reports indicating the status of charity care.

(3) The hospital fair share trust account for charity care is established in the general fund, to be managed by the state treasurer and pursuant to determinations of the commission under this chapter.

(4) Quarterly, beginning April 1, 1986, each hospital which has provided less charity care than the commission has determined to be the applicable regional average pursuant to this chapter shall be assessed an amount determined by the commission to be the cost of such care had it been provided by the hospital during the preceding quarter. The assessments shall be deposited in the hospital fair share trust account for charity care.

(5) Quarterly, beginning July 1, 1986, each hospital which has provided more charity care than the commission has determined to be the regional average pursuant to this chapter shall receive, upon application, a distribution from the trust account which the commission in its sole discretion has determined to be equitable and reasonably reflective of each hospital's charity care effort relative to the regional need, but which shall not exceed seventy percent of its cost of the charity care provided in excess of the regional average. Quarterly distributions shall be made to the limit of trust resources, consistent with prudent management thereof. The commission may reduce any proposed distributions in recognition of any requirements of the federal

Hill-Burton program under 42 U.S.C. Sec. 291, or any tax-supported revenues received to subsidize hospital operations, except those specifically designated by the legislature to subsidize medical education.

(6) In its annual review of hospital budgets, the commission shall review reports submitted under and assessments levied and distributions received under this section. The commission may reconcile assessments and distributions through rates established for the year following the year for which the reconciliation is provided.

(7) In the event the commission proposes a hospital reimbursement control system that includes provisions for dealing equitably with the costs to hospitals of providing charity care and that system receives legislative approval, then the program established under this section is void and of no effect. The discounts permitted under section 14 of this act shall in that event be effective.

(8) In no event may the program established under this section continue beyond December 31, 1989.

NEW SECTION. Sec. 17. By January 1, 1985, a select committee of the legislature shall develop legislative recommendations for programs that will promote the state-wide development of comprehensive cost-effective managed health care systems and shall recommend programs that will promote use of such managed health care systems. The select committee shall be composed of ten members of the legislature, five appointed by the speaker of the house of representatives and five appointed by the president of the senate, upon recommendation of the majority and minority caucuses of their respective bodies.

The committee shall elect a chairperson from among its membership.

The committee is authorized to appoint a technical advisory committee to prepare proposals under which cost-effective managed health care systems could be used to control health care costs, to more equitably distribute charity care among hospitals and licensed health care practitioners, and more effectively provide publicly and privately financed patient care.

For the purposes of this study 'managed health care system' means any health care organization, including health providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof, that provides directly or by contract comprehensive health care services to one or more defined patient populations by enrollment or other prior agreement or arrangement.

NEW SECTION. Sec. 18. By January 1, 1985, the governor shall submit a six-year state health care purchasing plan to the legislature. The plan shall identify the number and type of health care services purchased by the state through the department of social and health services, the department of labor and industries, the state employees' insurance board, the office of superintendent of public instruction, and other agencies of government where state funds are used to purchase health care. The plan shall contain objectives for realizing specific dollar savings in the purchase of these health care services by obtaining discounts from providers, contracting with managed health care systems, altering copayment and deductible requirements, instituting improved utilization controls, using prospective payment arrangements, or by other means.

The governor or the governor's designee shall report the governor's progress in completing this plan to the legislative budget committee and the social and health services and ways and means committees of the house of representatives and the senate by September 30, 1984.

Sec. 19. Section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150 are each amended to read as follows:

To properly carry out its authority the commission shall:

(1) Compile and maintain all relevant financial ((and)), accounting, and patient discharge data in order to have available the statistical information necessary to properly conduct rate review and approval. Such data shall include necessary operating expenses, appropriate expenses incurred for charity care and for rendering services to patients who ((cannot or)) do not pay, all properly incurred interest charges, and reasonable depreciation expenses based on the expected useful life of the property and equipment involved. The commission shall define and prescribe by rule and regulation the types and classes of charges which cannot be changed except as provided by the procedure contained in RCW 70.39.160 and it shall also obtain from each such hospital a current rate schedule as well as any subsequent amendments or modifications of that schedule as it may require. So far as possible, the commission shall compile and maintain the same patient discharge data with respect to all patients as that required under the federal medicare program and the uniform billing procedures applicable to third-party payers.

(2) Permit any ((nonprofit)) hospital subject to the provisions of this chapter to charge reasonable rates which will permit the hospital to render necessary, effective, and efficient service in the public interest ((and on a solvent basis)).

(3) ((Permit any proprietary profit-making hospital subject to the provisions of this chapter to charge reasonable rates which will permit the hospital to render effective and efficient service in the public interest and which includes an allowance for a fair return to stockholders based upon actual investment or, if the hospital elects, upon the fair value of the investment on

~~the effective date of this section: PROVIDED, That once the election is made it may not be changed without the approval of the commission:~~

~~(4)) Take into account, in the determination of reasonable rates under this section, that it is its obligation to assure access to necessary, effective, economically viable, and efficient hospital health care capability throughout the state, rather than the solvency or profitability of any individual hospital subject to this chapter except where the insolvency of a hospital would seriously threaten the access of the rural public to basic health care services.~~

(4) Take into account, in the determination of reasonable rates under this section for each hospital, the recommendations of appropriate area-wide and state comprehensive health planning agencies to ensure compliance with Washington comprehensive health planning law, chapter 70.38 RCW.

~~((5) Permit, in considering a request for change in or initiating a review of rate schedules or other charges, any hospital subject to the provisions of this chapter to charge rates which will in the aggregate produce sufficient total revenue for the hospital to meet all of the reasonable obligations specified in this chapter:))~~

(5) Permit any hospital, whether proprietary, district, public, or not-for-profit, to retain the excess of its revenues, if any, that exceed the actual cost of providing services, generated as a result of cost-effective practices, if the hospital charges do not exceed rates permitted by the commission.

(6) On or before October 1 of each year, after notice and public hearing, and in full consideration of the intent and purpose of this chapter as expressed in RCW 70.39.010, adopt a target dollar amount of total state-wide hospital revenue for the ensuing calendar year. To set the target amount, the commission shall develop a standard methodology that considers such factors as changes in the economy, affordability of hospital care, cost of hospital-purchased goods, numbers and age of the population, technology, and severity of illness of hospital patients. The commission shall endeavor, in establishing rates, to assure that total hospital revenues do not exceed the target amount for the applicable year.

Sec. 20. Section 17, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.160 are each amended to read as follows:

From and after the date determined by the commission pursuant to RCW 70.39.140, no hospital subject to the provisions of this chapter shall change or amend that schedule of rates and charges of the type and class which cannot be changed without prior approval of the commission, except in accordance with the following procedure:

(1) Any request for a change in rate schedules or other charges must be filed in writing in the form and content prescribed by the commission and with such supporting data as the hospital seeking the change deems appropriate. Unless the commission orders otherwise as provided for in subsection (4) of this section, no hospital shall establish such changes except after publication and notice to the commission of at least thirty days from the time the rate is intended to go into effect. All proposed changes shall be plainly indicated on the schedule effective at that time and shall be open to public inspection. Upon receipt of notice, the commission may suspend the effective date of any proposed change. In any such case a formal written statement of the reasons for the suspension will be promptly submitted to the hospital. Unless suspended, any proposed change shall go into effect upon the date specified in the application.

(2) In any case where such action is deemed necessary, the commission shall promptly, but in any event within thirty days, institute proceedings as to the reasonableness of the proposed changes. The suspension may extend for a period of not more than thirty days beyond the date the change would otherwise go into effect: PROVIDED, That should it be necessary, the commission may extend the suspension for an additional thirty days. After the expiration of ninety days from the date the rate is intended to go into effect the new rate will go into effect, if the commission does not approve, disapprove, or modify the request by that time.

(3) Such proposed changes shall be considered at a public hearing, the time and place of which shall be determined by the commission. The hearing shall be conducted by the commission. Evidence for and against the requested change may be introduced at the time of the hearing by any interested party and witnesses may be heard. The hearing may be conducted without compliance with formal rules of evidence.

(4) The commission may, in its discretion, permit any hospital to make a temporary change in rates which shall be effective immediately upon filing and in advance of any review procedure when it deems it in the public interest to do so. Notwithstanding such temporary change in rates, the review procedures set out in this section shall be conducted by the commission as soon thereafter as is practicable.

(5) Every decision and order of the commission in any contested proceeding shall be in writing and shall state the grounds for the commission's conclusions. The effects of such orders shall be prospective in nature.

Sec. 21. Section 11, chapter 161, Laws of 1979 ex. sess. as last amended by section 8, chapter 25, Laws of 1983 and RCW 70.38.115 are each amended to read as follows:

(1) Certificates of need shall be issued, denied, suspended, or revoked by the designee of the secretary of the department in accord with the provisions of this chapter and rules of the

department which establish review procedures and criteria for the certificate of need program.

(2) Criteria for the review of certificate of need applications, except as provided in subsection (3) of this section for health maintenance organizations, shall include but not be limited to consideration of the following:

(a) The relationship of the health services being reviewed to the applicable health plans;

(b) The need that the population served or to be served by such services has for such services;

(c) The availability of less costly or more effective alternative methods of providing such services;

(d) The financial feasibility and the probable impact of the proposal on the cost of and charges for providing health services in the community to be served, including findings and recommendations of the Washington state hospital commission in the case of applications submitted by hospitals. An application by a hospital shall be denied if the state hospital commission does not recommend approval, unless the secretary provides the commission with a written statement setting forth the reason or reasons, and citing the applicable subsection or subsections of this section, for approving an application that the commission has determined to be not feasible;

(e) In the case of health services to be provided, (i) the availability of alternative uses of project resources for the provision of other health services, (ii) the extent to which such proposed services will be accessible to all residents of the area to be served, and (iii) the need for and the availability in the community of services and facilities for osteopathic and allopathic physicians and their patients. The department shall consider the application in terms of its impact on existing and proposed institutional training programs for doctors of osteopathy and medicine at the student, internship, and residency training levels;

(f) In the case of a construction project, the costs and methods of the proposed construction, including the cost and methods of energy provision, and the probable impact of the construction project reviewed (1) on the cost of providing health services by the person proposing such construction project and (i) on the cost and charges to the public of providing health services by other persons;

(g) The special needs and circumstances of osteopathic hospitals ~~((and))~~; nonallopathic services and children's hospitals;

(h) Improvements or innovations in the financing and delivery of health services which foster cost containment and serve to promote quality assurance and cost-effectiveness;

(i) In the case of health services proposed to be provided, the efficiency and appropriateness of the use of existing services and facilities similar to those proposed; ~~((and))~~

(j) In the case of existing services or facilities, the quality of care provided by such services or facilities in the past; and

(k) In the case of hospital certificate of need applications subject to concurrent review, preference may be given to hospitals which meet or exceed the regional average for the provision of charity care as determined by the state hospital commission.

(3) A certificate of need application of a health maintenance organization or a health care facility which is controlled, directly or indirectly, by a health maintenance organization, shall be approved by the department if the department finds:

(a) Approval of such application is required to meet the needs of the members of the health maintenance organization and of the new members which such organization can reasonably be expected to enroll; and

(b) The health maintenance organization is unable to provide, through services or facilities which can reasonably be expected to be available to the organization, its institutional health services in a reasonable and cost-effective manner which is consistent with the basic method of operation of the organization and which makes such services available on a long-term basis through physicians and other health professionals associated with it.

A health care facility (or any part thereof) or medical equipment with respect to which a certificate of need was issued under this subsection may not be sold or leased and a controlling interest in such facility or equipment or in a lease of such facility or equipment may not be acquired unless the department issues a certificate of need approving the sale, acquisition, or lease.

(4) The decision of the department on a certificate of need application shall be consistent with the state health plan in effect, except in emergency circumstances which pose a threat to the public health. The department in making its final decision may issue a conditional certificate of need if it finds that the project is justified only under specific circumstances. The conditions shall directly relate to the project being reviewed. The conditions may be released if it can be substantiated that the conditions are no longer valid and the release of such conditions would be consistent with the purposes of this chapter.

(5) Criteria adopted for review in accordance with subsection (2) of this section may vary according to the purpose for which the particular review is being conducted or the type of health service reviewed.

(6) The department shall specify information to be required for certificate of need applications. Within fifteen days of receipt of the application, the department shall request additional information considered necessary to the application or start the review process. Applicants may decline to submit requested information through written notice to the department, in which case review starts on the date of receipt of the notice. Applications may be denied or limited because of failure to submit required and necessary information.

(7) Concurrent review is for the purpose of comparative analysis and evaluation of competing or similar projects in order to determine which of the projects may best meet identified needs. Categories of projects subject to concurrent review include at least new health care facilities, new services, and expansion of existing health care facilities. The department shall specify time periods for the submission of applications for certificates of need subject to concurrent review, which shall not exceed ninety days. Review of concurrent applications shall start fifteen days after the conclusion of the time period for submission of applications subject to concurrent review. Concurrent review periods shall be limited to one hundred fifty days, except as provided for in rules adopted by the department authorizing and limiting amendment during the course of the review, or for an unresolved pivotal issue declared by the department.

(8) Review periods for certificate of need applications other than those subject to concurrent review shall be limited to ninety days. Review periods may be extended up to thirty days if needed by a review agency, and for unresolved pivotal issues the department may extend up to an additional thirty days. A review may be extended in any case if the applicant agrees to the extension.

(9) The department or a designated regional health council shall conduct a public hearing on a certificate of need application if requested unless the review is expedited or subject to emergency review. The department by rule shall specify the period of time within which a public hearing must be requested and requirements related to public notice of the hearing, procedures, recordkeeping and related matters.

(10) Any applicant denied a certificate of need or whose certificate of need has been suspended or revoked shall be afforded an opportunity for administrative review in accordance with chapter 34.04 RCW and a hearing shall be held within one hundred twenty days of a request therefor. An administrative law judge shall review the decision of the secretary's designee and render a proposed decision for consideration by the secretary in accordance with chapter 34.12 RCW or remand the matter to the secretary's designee for further consideration. The secretary's final decision is subject to review by the superior court as provided in chapter 34.04 RCW.

(11) The department may establish procedures and criteria for reconsideration of decisions.

(12) An amended certificate of need shall be required for the following modifications of an approved project:

- (a) A new service;
- (b) An expansion of a service beyond that originally approved;
- (c) An increase in bed capacity;

(d) A significant reduction in the scope of a project without a commensurate reduction in the cost of the project, or a cost increase (as represented in bids on a construction project or final cost estimates acceptable to the person to whom the certificate of need was issued) if the total of such increases exceeds twelve percent or fifty thousand dollars, whichever is greater, over the maximum capital expenditure approved. The review of reductions or cost increases shall be restricted to the continued conformance of the project with the review criteria pertaining to financial feasibility and cost containment.

(13) An application for a certificate of need for a capital expenditure which is determined by the department to be required to eliminate or prevent imminent safety hazards or correct violations of applicable licensure and accreditation standards shall be approved.

NEW SECTION. Sec. 22. There is added to chapter 70.39 RCW a new section to read as follows:

Each hospital under this chapter shall print and make available for public inspection as prescribed by the commission by rule a schedule of its rates as approved by the commission.

NEW SECTION. Sec. 23. There is added to chapter 70.39 RCW a new section to read as follows:

Every commercial health insurer registered and doing business in the state under Title 48 RCW, every health care service contractor as defined in RCW 48.44.010, and the department of social and health services shall, upon request by the commission but not more frequently than annually, furnish to the commission such information as is readily available which may assist the commission in developing cost containment proposals with respect to the fees of licensed health care practitioners. The commission may request such information from the entities identified in this section, and from the federal department of health and human services, if and when the commission deems appropriate to accord with any requirements of federal law which may be imposed.

Sec. 24. Section 9, chapter 223, Laws of 1982 and RCW 43.131.253 are each amended to read as follows:

The hospital commission and its powers and duties shall be terminated on June 30, ~~((1984))~~ 1982, as provided in RCW 43.131.254.

Sec. 25. Section 10, chapter 223, Laws of 1982 and RCW 43.131.254 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~((1985))~~ 1990:

(1) Section 2, chapter 5, Laws of 1973 1st ex. sess., section 1 of this 1984 act and RCW 70.39.010;

(2) Section 3, chapter 5, Laws of 1973 1st ex. sess., section 2 of this 1984 act and RCW 70.39.020;

(3) Section 4, chapter 5, Laws of 1973 1st ex. sess., section 3 of this 1984 act and RCW 70.39.030;

(4) Section 5, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 36, Laws of 1977, section 4 of this 1984 act and RCW 70.39.040;

(5) Section 6, chapter 5, Laws of 1973 1st ex. sess., section 5 of this 1984 act and RCW 70.39.050;

(6) Section 7, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 35, Laws of 1977, section 6 of this 1984 act and RCW 70.39.060;

(7) Section 8, chapter 5, Laws of 1973 1st ex. sess., section 7 of this 1984 act and RCW 70.39.070;

(8) Section 9, chapter 5, Laws of 1973 1st ex. sess., section 8 of this 1984 act and RCW 70.39.080;

(9) Section 10, chapter 5, Laws of 1973 1st ex. sess., section 9 of this 1984 act and RCW 70.39.090;

(10) Section 11, chapter 5, Laws of 1973 1st ex. sess., section 10 of this 1984 act and RCW 70.39.100;

(11) Section 12, chapter 5, Laws of 1973 1st ex. sess., section 11 of this 1984 act and RCW 70.39.110;

(12) Section 13, chapter 5, Laws of 1973 1st ex. sess., section 12 of this 1984 act and RCW 70.39.120;

(13) Section 14, chapter 5, Laws of 1973 1st ex. sess., section 82, chapter 75, Laws of 1977, section 13 of this 1984 act and RCW 70.39.130;

(14) Section 15, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 163, Laws of 1974 ex. sess., section 14 of this 1984 act and RCW 70.39.140;

(15) Section 16, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 154, Laws of 1977 ex. sess., section 19 of this 1984 act and RCW 70.39.150;

(16) Section 17, chapter 5, Laws of 1973 1st ex. sess., section 20 of this 1984 act and RCW 70.39.160;

(17) Section 18, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.170;

(18) Section 19, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.180;

(19) Section 20, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.190;

(20) Section 21, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.200;

(21) Section 22, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.900; ~~((and))~~

(22) Section 23, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.910;

~~(23) Section 15 of this 1984 act and RCW 70.39.---~~

~~(24) Section 16 of this 1984 act and RCW 70.39.---~~

~~(25) Section 22 of this 1984 act and RCW 70.39.---~~ and

~~(26) Section 23 of this 1984 act.~~

NEW SECTION. Sec. 26. 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. 27. There is appropriated to the state hospital commission from the general fund, for the biennium ending June 30, 1985, the sum of nine hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act: PROVIDED, That at least twenty-five thousand dollars of the amount available for development of a hospital reimbursement control system, authorized pursuant to section 14 of this act shall be reserved as the state share, in conjunction with funds that may be made available by hospitals, professional associations, health care service contractors, commercial health insurance companies, or other third party payers and major purchasers of hospital services, in order to secure the professional services of national experts in health care economics, hospital financing or similar fields that might be necessary to develop such a system.

NEW SECTION. Sec. 28. 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, on line 1 of the title, after "costs," strike the remainder of the title and insert "amending section 2, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.010; amending section

3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020; amending section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030; amending section 5, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 36, Laws of 1977 and RCW 70.39.040; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 7, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 35, Laws of 1977 and RCW 70.39.060; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 9, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.080; amending section 10, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.090; amending section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100; amending section 12, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.110; amending section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120; amending section 14, chapter 5, Laws of 1973 1st ex. sess. as amended by section 82, chapter 75, Laws of 1977 and RCW 70.39.130; amending section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140; amending section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150; amending section 17, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.160; amending section 11, chapter 161, Laws of 1979 ex. sess. as last amended by section 8, chapter 235, Laws of 1983 and RCW 70.38.115; amending section 9, chapter 223, Laws of 1982 and RCW 43.131.253; amending section 10, chapter 223, Laws of 1982 and RCW 43.131.254; adding new sections to chapter 70.39 RCW; creating new sections; making an appropriation; providing an effective date; and declaring an emergency."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Braddock, J. King, Lewis, McClure, Mitchell, Niemi, Scott, Wang and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Voting nay: Representatives Ballard, Broback, Padden, Stratton and West.

February 23, 1984

Committee on Ways & Means report: MAJORITY recommendation: Do pass with the amendments by Committee on Social & Health Services and with the following amendments:

On page 22, line 38 start a new paragraph with the sentence beginning with "Any"

On page 23, line 3 after "discount" insert "in accordance with procedures established by the commission by rule" and on line 11 after "inspection" strike "in accordance with procedures established by the commission by rule"

On page 28, line 19 after "(1)" strike "Not later than October 1, 1985, the" and insert "The"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sryan and Smitherman.

Voting nay: Representatives Bond, Sanders, Struthers, Taylor and Vander Stoep.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

February 22, 1984

ESSB 4484 Prime Sponsor, Committee on State Government: Creating the athletic health care and training council. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the provisions made for safety, emergency care, and athletic health care and training for persons of junior high or high school age are dramatically inferior to those made for athletes at either the postsecondary or professional levels. The legislature further finds that when care is provided at the junior high and high school level, participants in different athletic activities are not provided with equal care.

The legislature finds that the health and safety of the participants in athletics who are between twelve and eighteen years of age is of great importance. The legislature further finds that standards and guidelines for the health and safety of participants in organized athletics both in the high schools and junior high schools will help protect the young people of this state.

NEW SECTION. Sec. 2. (1) The athletic health care and training council is created. The council shall consist of fourteen members selected by the governor to serve four-year staggered terms. The terms of the initial members shall be as follows: Two members will serve a one-year term, four members will serve two-year terms, four members will serve three-year terms, and four members will serve four-year terms. The governor shall select the members to

represent diverse racial and ethnic backgrounds, the different geographical areas of the state, and both men and women as follows: Two members shall be physicians licensed under chapter 18.57 or 18.71 RCW, two members shall be physical therapists licensed under chapter 18.74 RCW, two members shall be athletic trainers, two members shall be principals of public junior high schools in this state with one from a large district and one from a small district, two members shall be principals of public high schools in this state with one from a large district and one from a small district, two members shall be school district superintendents with one from a large district and one from a small district, one member shall be a representative of a private school which conducts junior and senior high school athletic programs, and one member shall be employed by or be an officer of an organization to which a school district has delegated control, supervision, and regulation of an activity under RCW 28A.58.125.

(2) The members of the council shall select the chairperson from among their members.

NEW SECTION. Sec. 3. Members of the council shall serve without compensation but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 4. The council shall meet at regularly scheduled meetings and may meet more frequently as necessary as determined by the chairperson. Eight members shall constitute a quorum for conducting business.

NEW SECTION. Sec. 5. The council may employ staff as necessary to help the council carry out its duties. The council may contract for services when necessary for preliminary investigations of violations of this chapter or rules adopted under this chapter.

NEW SECTION. Sec. 6. (1) The council shall conduct a study of health and safety conditions in organized athletic programs designed for persons between the ages of twelve and eighteen either in public or private junior high schools and high schools in this state. The study shall be completed by September 1, 1984.

(2) No later than September 1, 1984, the council shall develop proposed rules that establish standards for the health and safety of persons in organized athletic programs designed for persons between the ages of twelve and eighteen either in public or private junior high schools and high schools in the state. The proposed rules shall establish standards for staff training, athletic facilities, athletic equipment, training areas, the provision of athletic health care and training services, record keeping, and emergency procedures.

(3) Upon completion, the proposed rules shall be distributed for comment to the state superintendent of public instruction, every local school district board in the state, and other interested persons. The council shall accept comments pertaining to the proposed rules until January 1, 1985.

(4) The council may modify the proposed rules where deemed appropriate and shall adopt the rules in accordance with chapter 34.04 RCW no later than May 1, 1985.

(5) The council shall periodically review the rules adopted under this section and modify them to the extent it considers it appropriate.

NEW SECTION. Sec. 7. When the council receives reports of violations of this chapter or the rules adopted under this chapter, the council may conduct investigations. At the request of the council, the prosecuting attorney of the county wherein a violation has occurred or the attorney general shall take such action as appropriate to enforce this chapter and the rules adopted under this chapter and to collect the fines specified in section 8 of this act.

NEW SECTION. Sec. 8. A school district or person may be fined up to five thousand dollars for a willful violation of this chapter or rules adopted under this chapter. Injunctive relief may be granted to prevent future violations.

NEW SECTION. Sec. 9. There is added to chapter 28A.04 RCW a new section to read as follows:

The state board of education shall, in exercising its powers and duties, conform to the provisions of chapter 43._____ RCW (sections 2 through 8 of this act) and to the rules adopted under it by the athletic health care and training council.

Sec. 10. Section 1, chapter 32, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.125 are each amended to read as follows:

Each school district board of directors is hereby granted and shall exercise the authority to control, supervise and regulate the conduct of interschool athletic activities and other inter-school extracurricular activities of an athletic, cultural, social or recreational nature for students of the district. This authority shall be exercised in conformity with the provisions of chapter 43._____ RCW (sections 2 through 8 of this 1984 act) and the rules adopted under it by the athletic health care and training council. A board of directors may delegate control, supervision and regulation of any such activity to the Washington Interscholastic Activities Association or any other voluntary nonprofit entity and compensate such entity for services provided, subject to the following conditions:

(1) The voluntary nonprofit entity shall submit an annual report to the state board of education of student appeal determinations, assets, and financial receipts and disbursements at such time and in such detail as the state board shall establish by rule;

(2) The voluntary nonprofit entity shall not discriminate in connection with employment or membership upon its governing board, or otherwise in connection with any function it performs, on the basis of race, creed, national origin, sex or marital status;

(3) Any rules and policies applied by the voluntary nonprofit entity which govern student participation in any interschool activity shall be written and subject to the annual review and approval of the state board of education at such time as it shall establish;

(4) All amendments and repeals of such rules and policies shall be subject to the review and approval of the state board; and

(5) Such rules and policies shall provide for notice of the reasons and a fair opportunity to contest such reasons prior to a final determination to reject a student's request to participate in or to continue in an interschool activity. Any such decision shall be considered a decision of the school district conducting the activity in which the student seeks to participate or was participating and may be appealed pursuant to RCW 28A.88.010 through 28A.88.015, as now or hereafter amended.

NEW SECTION. Sec. 11. There is added to chapter 43.131 RCW a new section to read as follows:

The athletic health care and training council and its powers and duties shall be terminated on June 30, 1990.

NEW SECTION. Sec. 12. There is added to chapter 43.131 RCW a new section to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1991:

- (1) Section 2 of this act and RCW 43._____;
- (2) Section 3 of this act and RCW 43._____;
- (3) Section 4 of this act and RCW 43._____;
- (4) Section 5 of this act and RCW 43._____;
- (5) Section 6 of this act and RCW 43._____;
- (6) Section 7 of this act and RCW 43._____;
- (7) Section 8 of this act and RCW 43._____; and
- (8) Section 9 of this act and RCW 28A.04._____.

NEW SECTION. Sec. 13. 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. 14. Sections 2 through 8 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 15. There is appropriated from the state general fund to the athletic health care and training council for the remainder of the 1983-85 biennium the sum of fifty thousand dollars or so much thereof as may be necessary to carry out the purposes of this act.

NEW SECTION. Sec. 16. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, after "council," insert "amending section 1, chapter 32, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.125; adding a new section to chapter 28A.04 RCW; adding new sections to chapter 43.131 RCW; providing an expiration date;"

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Bond, Hankins, Johnson, R. King, Lux, Nealey, D. Nelson, Sayan, Silver, Walk and J. Williams.

Voting nay: Representative Belcher.

Absent: Representatives Kaiser, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4494 Prime Sponsor, Committee on Commerce & Labor: Establishing the Washington state advisory council on international trade. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers and Taylor.

Voting nay: Representative Vander Stoep.

Absent: Representatives Sanders and Tilly.

Passed to Committee on Rules for second reading.

February 22, 1984

ESB 4592 Prime Sponsor, Senator Williams: Permitting replacement of inactive members of the state centennial commission and establishing financial procedures for the commission. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, R. King, Lux, Nealey, D. Nelson, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Kaiser, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4623 Prime Sponsor, Committee on State Government: Altering provisions relating to the human rights board. Reported by Committee on State Government

MAJORITY recommendation: Do Pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, R. King, Lux, D. Nelson, O'Brien, Sayan and Silver.

MINORITY recommendation: Do not pass. Signed by Representative Walk.

Voting nay: Representatives Bond, Hankins, Johnson, Nealey, Walk and J. Williams.

Absent: Representatives Kaiser and Taylor.

Passed to Committee on Rules for second reading.

February 22, 1984

SSB 4710 Prime Sponsor, State Government: Revising procedures for the disposition of archaeological materials from cairns or graves. Reported by Committee on State Government

MAJORITY recommendation: Do Pass. Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Belcher, Bond, Hankins, Johnson, R. King, Lux, Nealey, D. Nelson, Sayan, Silver, Walk and J. Williams.

Absent: Representatives Kaiser, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

February 22, 1984

SB 4773 Prime Sponsor, Senator Vognild: Extending the small business innovators' opportunity program. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do Pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Holland, Padden, Powers, Schmidt, Schoon, Silver, L. Smith, Smitherman, Stratton, Walk, B. Williams and Wilson.

Voting nay: Representative Niemi.

Absent: Representatives Kaiser, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.

February 22, 1984

ESSB 4794 Prime Sponsor, Committee on State Government: Establishing the centennial partnership project. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. This act shall be known as the centennial partnership act.

NEW SECTION, Sec. 2. The legislature finds and declares that:

(1) Destination tourism attractions which attract visitors from other states will increase state tax revenues and provide direct and indirect civic and economic benefits to the state.

(2) People of other states have a strong interest in the historical, technical, and economic heritage of the state of Washington.

(3) A destination tourism attraction based on our Washington heritage, including but not limited to the agriculture, maritime, logging, or aviation heritage, advertises the inventiveness and productivity of the citizens and provides education and incentive to the state's youth.

NEW SECTION. Sec. 3. The purpose of this act is to provide for a study of the feasibility of creating one or more destination tourism attractions based on the Washington heritage. This study is to be conducted in cooperation with various nonprofit corporations interested in the creation of such an attraction as a means of celebrating and sharing the state's unique heritage.

NEW SECTION. Sec. 4. (1) Subject to the provisions of section 10 of this act, there is created a public corporation of temporary duration to be known as the centennial partnership corporation. The corporation shall be governed by a board of directors composed of the following nine persons: The director of the department of commerce and economic development or the director's representative; the state historic preservation officer; four persons appointed by the governor who are members of the nonprofit corporations which meet the qualifications of section 7 of this act; two persons appointed by the governor from the hotel, motel, or restaurant businesses; and one person representing the governor and appointed by the governor.

(2) The corporation shall cease to exist on July 1, 1985.

(3) The board of directors shall select a president and such other officers as it considers appropriate. The directors shall receive travel expenses as provided in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 5. The centennial partnership corporation shall have the following powers and duties:

(1) It shall conduct a study on the feasibility of establishing one or more destination tourism attractions based on the Washington heritage.

(2) It shall report the results of this study, including any recommendations and proposed legislation, to the secretary of the senate and chief clerk of the house of representatives by January 1, 1985.

(3) It shall enter into such contracts as are appropriate for conducting the study and issuing the report required under this section.

(4) It shall carry out its powers and duties in cooperation with the nonprofit corporations who meet the qualifications of section 7 of this act and who have made donations under that section.

NEW SECTION. Sec. 6. The centennial partnership corporation may include within its recommendations to the legislature proposed contracts relating to the acquisition of land or construction of facilities.

NEW SECTION. Sec. 7. A nonprofit corporation shall not be considered qualified under this act unless it:

(1) Has qualified under section 501(c)(3) of the federal internal revenue code;

(2) Has a membership open to the public;

(3) Has preserved and maintained a part of the state's heritage;

(4) Owns or has available through cooperating individuals or organizations a substantial collection of artifacts depicting a part of the state's heritage;

(5) Periodically has made or makes part of the state's heritage available to the people;

(6) Is interested in establishing or assisting in the establishment of a destination tourist attraction based on the state's heritage; and

(7) Has deposited with the governor a donation of at least five thousand dollars to help defray the costs of the study and report required by this act.

NEW SECTION. Sec. 8. (1) The centennial partnership fund is created in the custody of the state treasurer. Moneys in the fund may be spent only for the purposes of this act. Disbursements from the fund shall be on authorization of the centennial partnership corporation. No appropriation is required for disbursements.

(2) All moneys donated to the state under section 7 of this act shall be deposited by the governor in the centennial partnership fund.

(3) There is hereby appropriated from the general fund to the centennial partnership fund the sum of fifteen thousand dollars. No part of this appropriation may be spent until such time as a matching amount of fifteen thousand dollars, received as donations under section 7 of this act, is deposited into the fund.

NEW SECTION. Sec. 9. The governor shall make available to the centennial partnership corporation such staff and administrative support as the governor considers appropriate for the corporation to carry out its functions in an orderly and appropriate manner. In order to implement this section, the governor may rely on the employees of any agency headed by an officer or employee who serves at the pleasure of the governor.

NEW SECTION. Sec. 10. The governor shall make all appointments to the centennial partnership corporation within twenty days from the date on which fifteen thousand dollars in donations is deposited into the centennial partnership fund. The centennial partnership corporation shall not be created and its powers and duties shall not be exercised unless by August 1,

1984, the governor has deposited fifteen thousand dollars in donations from qualified corporations into the centennial partnership fund. If such amount has not been deposited by such date, then the state treasurer shall promptly withdraw from the centennial partnership fund the amount of all donations made and return them to the donors.

NEW SECTION. Sec. 11. This act shall expire on July 1, 1985.

NEW SECTION. Sec. 12. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1, after "corporation," strike all material down to and including "RCW;" on line 2 and insert "creating new sections; providing an expiration date;"

Signed by Representatives Niemi, Chair; Vekich, Vice Chair; Hankins, Johnson, R. King, Nealey, D. Nelson, Sayan, Silver and J. Williams.

Voting nay: Representatives Belcher, Bond, Lux and Walk.

Absent: Representatives Kaiser, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

February 21, 1984

ESB 4798 Prime Sponsor, Senator Granlund: Extending prison overcrowding reform act. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 6, chapter 228, Laws of 1982 (uncodified) is amended to read as follows:

RCW 9.95.380 through 9.95.410 shall expire on July 1, ~~(1984)~~ 1988.

Sec. 2. Section 51, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

(a) \$2,153,000 is appropriated from the general fund for the continuation and expansion of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties. \$38,000 of the appropriation in this subsection (1)(a) is provided solely for the current Pierce county and Snohomish county treatment alternatives to street crime programs to implement the expansion program.

(b) \$51,803,000 is appropriated from the general fund, subject to the following conditions and limitations:

(i) \$236,000 is provided solely for community diversion programs.

(ii) \$200,000 is provided solely for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

(iii) \$25,458,000 is provided for probation and parole, other than for drug and alcohol specialized officers in counties currently or proposed to be served by the treatment alternatives to street crime programs.

(iv) \$4,054,000 is provided for intensive parole.

(v) \$16,952,000 is provided to operate and/or contract with nonprofit corporations for work training release for convicted felons.

(vi) \$4,026,000 is provided to operate the Geiger community work release facility for convicted felons.

(vii) \$877,000 is provided for support of the state director's office of community services.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	206,860,000
General Fund Appropriation—Federal	\$	700,000
Total Appropriation	\$	207,560,000

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

(a) \$712,000 of the general fund—state appropriation is provided solely for drug and alcohol rehabilitation treatment programs at appropriate state correctional institutions, as defined in RCW 72.01.050 for persons who: (i) Are defined as inmates under RCW 72.09.020; (ii) in the opinion of a qualified health professional designated by the department, are in need of such treatment; and (iii) have less than one year remaining in their confinement to a state correctional facility. Such programs may include facilities for both residential and outpatient treatment.

(b) The superintendents of each correctional institution, as defined in RCW 72.65.010, shall establish community-based volunteer alcohol and drug rehabilitation programs in their respective correctional institution. The superintendents shall encourage groups conducting such programs outside the institutions to participate in such programs inside the institution. An employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(c) The department shall contract with appropriate counties for the use of up to 200 beds in county jails. Contracted jail space shall be used for inmates who have not fully entered the state prison system and for inmates who are nearing their release date who are not appropriate for parole, work release, or early release.

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation—State	\$	13,278,000
General Fund—Institutional Impact Account Appropriation	\$	865,000
Total Appropriation	\$	14,143,000

The appropriations in this subsection are subject to the following conditions and limitations: \$1,480,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities and for the one-time cost impact associated with the double bunking at the Washington Corrections Center due to the significant increase in the inmate population and the consequent impact on the community.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation	\$	5,463,000
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(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes and no transfer shall be made among said subsections.

NEW SECTION, Sec. 3. The legislature finds and declares that:

(1) The sentencing reform act of 1981 which established the sentencing guidelines commission and directed the commission to devise a system of recommended standard sentence ranges for all felony offenses, required the commission, in setting the standards, to emphasize confinement for the violent offender and alternatives to total confinement for the nonviolent offender.

(2) There is a need to plan and develop a system through which alternatives to total confinement can be used to serve nonviolent offenders who have been convicted of crimes but who, in the judgment of the courts and appropriate corrections personnel, can best serve their sentences without substantial danger to the community in local community programs rather than in state prisons or local jails.

(3) The department of corrections, which, under RCW 72.09.060 and 72.09.100(5), is charged with developing, establishing, and administering community service programs state-wide, has the expertise, and personnel to enable the development of a comprehensive system of alternative programs for nonviolent offenders.

NEW SECTION, Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 4 through 8 of this act.

(1) 'Department' means the department of corrections.

(2) 'Secretary' means the secretary of corrections.

(3) 'Alternatives to total confinement' means residential and nonresidential programs that meet the definitional requirements of the five categories of sanctions established under chapter 9.94A RCW and that are operated by the department or local government entities to serve nonviolent offenders who have been convicted of crimes, in lieu of incarceration in state prisons or local jails.

(4) 'Nonviolent offender' means any person convicted of a felony not classified as a violent offense under chapter 9.94A RCW.

NEW SECTION, Sec. 5. The department shall formulate a comprehensive plan for the development, implementation, and operation of alternatives to total confinement for nonviolent offenders, that meet the definitional requirements of the five categories of sanctions established under chapter 9.94A RCW.

The plan shall be submitted to the appropriate standing committee of the house of representatives and the senate for review by December 1, 1984. The plan shall include, but is not limited to:

(1) The establishment of goals and objectives for the development, implementation, and expansion of alternatives to total confinement;

(2) An identification and evaluation of current state and local alternatives to total confinement, including, but not limited to, probation-type services and court-ordered community service programs authorized under RCW 72.09.100(5);

(3) An evaluation of the existing organizational structure and of the services provided by the department's division of community services and its role in providing or administering programs that are alternatives to total confinement after July 1, 1984;

(4) The establishment of policies and procedures to improve and expand existing alternatives to total confinement including, but not limited to, probation-type services and court-ordered community service, and to develop new alternatives to total confinement. Policies and procedures on program site selection, offender intake assessment, program and offender monitoring, and evaluating and reporting the effectiveness of alternatives to total confinement should be included;

(5) The identification of the projected numbers of nonviolent offenders who may be eligible for alternatives to total confinement;

(6) A delineation of the role and functions of affected state and local government entities and state and local service providers with respect to the administration and operation of programs that are alternatives to total confinement;

(7) The identification of funding sources, funding responsibility, and costs associated with alternatives to total confinement and how funding for such programs can occur within state and local budget limitations;

(8) An analysis of the legal liability of state and local government entities and private sector service providers, and a determination of what types of insurance or other mechanisms are available to provide legal and financial safeguards;

(9) An identification of the statutory changes which may be necessary to permit full implementation of the plan; and

(10) An analysis of the role local correctional facilities should assume under chapter 9.94A RCW. The analysis shall determine: (a) Whether the state should assume financial responsibility for operating local correctional facilities, (b) whether the state should contract for county jail beds to house state prisoners, (c) whether new jail facilities have adequate programs to meet the needs of state prisoners, and (d) the feasibility of counties using minimum security facilities for low-risk offenders.

NEW SECTION. Sec. 6. The department, in developing the plan, shall consult with and receive input from representatives of affected state and local government entities including the governor's interagency criminal justice work group, correctional organizations and associations, prosecuting attorneys, the defense bar, the legislature, private nonprofit agencies, and private citizens. The plan shall be submitted to the governor's interagency criminal justice work group for review prior to the submission of such plan to the legislature.

NEW SECTION. Sec. 7. The department's plan for the development, implementation, operation, and expansion of alternatives to total confinement shall reflect regional differences. The department shall consult with and receive input from affected agencies, organizations, service providers, and individuals working at the regional level.

NEW SECTION. Sec. 8. The department, in developing the plan, may request from the office of financial management, the board of prison terms and paroles, the administrator for the courts, the sentencing guidelines commission, the corrections standards board, and the department of social and health services such staff assistance, data, information, and data processing assistance as it may need to accomplish its task, and such services shall be provided without cost to the department.

NEW SECTION. Sec. 9. There is appropriated from the general fund to the department of corrections for the period ending December 30, 1984, the sum of forty-five thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of sections 3 through 8 of this act.

NEW SECTION. Sec. 10. Section 2, chapter 2, Laws of 1982 2nd ex. sess. and RCW 72.13.091 are each repealed.

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.

NEW SECTION. Sec. 12. 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. 13. Sections 3 through 8 of this act shall expire December 30, 1984."

On page 1, line 1 of the title, after "overcrowding;" strike the remainder of the title and insert "amending section 6, chapter 228, Laws of 1982 (uncodified); amending section 51, chapter 76, Laws of 1983 1st ex. sess. (uncodified); creating new sections; repealing section 2, chapter 2, Laws of 1982 2nd ex. sess. and RCW 72.13.091; making an appropriation; providing an expiration date; and declaring an emergency."

Signed by Representatives Kreidler, Chair; Ballard, Braddock, Broback, Lewis, McClure, Niemi, Padden, Scott, Stratton, Wang, West and B. Williams.

Voting nay: Representative Dellwo, Vice Chair.

Absent: Representative J. King.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heck, the House adjourned until 9:00 a.m., Friday, February 24, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 24, 1984.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives R. King and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Jill Broback and Erin Buckley. Prayer was offered by The Reverend Harry M. MacDonald, Minister of the John Knox Presbyterian Church in Normandy Park.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 23, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 69,

HOUSE BILL NO. 1373,

SECOND SUBSTITUTE SENATE BILL NO. 3267,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 23, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 699,

HOUSE BILL NO. 1121,

SUBSTITUTE HOUSE BILL NO. 1179,

SUBSTITUTE HOUSE BILL NO. 1207,

SUBSTITUTE HOUSE BILL NO. 1270,

ENGROSSED HOUSE BILL NO. 1361,

SUBSTITUTE HOUSE BILL NO. 1407,

SUBSTITUTE HOUSE BILL NO. 1668,

SUBSTITUTE HOUSE BILL NO. 1698,

SENATE BILL NO. 3118,

SENATE BILL NO. 3208,

SENATE BILL NO. 4345,

SENATE BILL NO. 4351,

SUBSTITUTE SENATE BILL NO. 4423,

SENATE BILL NO. 4428,

and the same are herewith transmitted.

Sidney R. Snyder Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3118,

SENATE BILL NO. 3208,

SENATE BILL NO. 4345,

SENATE BILL NO. 4351,

SUBSTITUTE SENATE BILL NO. 4423,

SENATE BILL NO. 4428.

INTRODUCTIONS AND FIRST READING

HCR 44 by Representatives Belcher, Miller, Armstrong, Allen, Locke, Halsan and Patrick

Studying the policy and legal issues relating to strip searching.

Referred to Committee on Rules

2SSB 3267 by Committee on Ways & Means (originally sponsored by Senator McDermott; by Department of Revenue request)

Modifying provisions on property tax exemptions and deferrals.

Referred to Committee on Ways & Means

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-145, by Representatives G. Nelson, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Rosalynn Sumners recently competed with distinction in women's figure skating in the XIV Winter Olympics in Sarajevo, Yugoslavia; and

WHEREAS, Sumners has compiled a long list of competitive honors in her field; and

WHEREAS, She has won the United States women's figure skating crown; and

WHEREAS, She is the defending World Champion; and

WHEREAS, She won the Silver Medal in the Olympics, thus continuing the tradition of excellence in American women's figure skating; and

WHEREAS, She has conducted herself with dignity and honor despite the pressures of her position; and

WHEREAS, By her consistent success she has brought fame and honor to herself, her family, her community and the State of Washington; and

WHEREAS, Her efforts have made her a positive example for others in all walks of life; and

WHEREAS, This Sunday, February 26, has been declared "Rosalynn Sumners Day" in the City of Edmonds;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize Rosalynn Sumners for the many achievements of her career; and

BE IT FURTHER RESOLVED, That the House of Representatives also honor the work of her coaches, Lorraine Borman and Kathy Casey; and

BE IT FURTHER RESOLVED, That the House of Representatives wish her good luck and continued success in whatever fields she may enter; and

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to Rosalynn Sumners, her coaches and her family.

Mr. G. Nelson moved adoption of the resolution. Representatives G. Nelson, Allen and Broback spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-146, by Representatives G. Nelson, Heck, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, The athletes representing the United States won eight medals during the XIV Olympic Games in Sarajevo, Yugoslavia; and

WHEREAS, Four of those athletes are residents of Washington State; and

WHEREAS, Phil Mahre of White Pass won the Gold Medal in the men's slalom; and

WHEREAS, His brother, Steve Mahre, won the Silver Medal in the same event; and

WHEREAS, Debbie Armstrong of Seattle won the Gold Medal in the women's giant slalom; and

WHEREAS, Rosalynn Sumners of Edmonds won the Silver Medal in women's figure skating; and

WHEREAS, These fine people, by their hard work and dedication, have accomplished what many only dream of and have brought honor to Washington State; and

WHEREAS, Their efforts have made the people of this state justifiably proud; and

WHEREAS, They have provided an excellent example for aspiring young people everywhere;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize the above-mentioned people for their outstanding achievements; and

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the four champions.

On motion of Mr. G. Nelson, the resolution was adopted.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3758, by Committee on Transportation (originally sponsored by Senators Lee, Owen, Granlund and Patterson)

Regulating excursion service companies.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Sutherland, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3758 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman,

Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Grimm, Locke, Smitherman - 3.

Excused: Representatives King R, Van Dyken - 2.

Substitute Senate Bill No. 3758 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3117, by Senators Thompson, Zimmerman and Bauer

Regulating substances containing toxic vapors or fumes.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3117, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Locke, Smitherman - 2.

Excused: Representatives King R, Van Dyken - 2.

Engrossed Senate Bill No. 3117, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4696, by Senator Lee

Establishing an equalized calculation formula for levies by certain school districts.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Galloway, Schoon and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4696, and the bill passed the House by the following vote: Yeas, 59; nays, 35; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Charnley, Ebersole, Egger, Fisch, Fiske, Gallagher, Galloway, Hankins, Hastings, Hine, Holland, Jacobsen, Johnson, King P, Lewis, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Scott, Silver, Struthers, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Wang, Williams B, Williams J, Wilson, Zellinsky - 59.

Voting nay: Representatives Appelwick, Burns, Chandler, Clayton, Crane, Dellwo, Dickie, Ellis, Fisher, Fuhrman, Garrett, Grimm, Halsan, Haugen, Heck, Isaacson, Kaiser, King J, Kreidler,

Long, Monohon, Nelson D, Niemi, Powers, Rust, Sayan, Smith C, Smith L, Sommers, Stratton, Sutherland, Tanner, Walk, West, and Mr. Speaker - 35.

Absent: Representatives Locke, Smitherman - 2.

Excused: Representatives King R, Van Dyken - 2.

Senate Bill No. 4696, having received the 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

Please record in the House Journal that my recorded vote on Senate bill No. 4696 was made in error. I favored the bill and my vote should have been 'Aye.'

RAY ISAACSON, 8th District.

ENGROSSED SENATE BILL NO. 4532, by Senators Goltz and Peterson

Creating a state highway from Kendall to Sumas.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Sutherland, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4532 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 3; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Garrett, Patrick, Schmidt - 3.

Absent: Representatives Locke, Smitherman - 2.

Excused: Representatives King R, Van Dyken - 2.

Engrossed Senate Bill No. 4532 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4432, by Senators Fleming, McDermott and Wojahn

Establishing a mathematics, engineering, and science achievement program for underrepresented groups.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 22, 1984.)

On motion of Ms. Galloway, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Galloway, Rust, Brough, Schoon and Sommers spoke in favor of passage of the bill, and Representatives Betzoff, Dickie, Lewis, Isaacson, Fuhrman, Moon and Barnes spoke against it.

Representatives Galloway and Brough spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4432 as amended by the House, and the bill passed the House by the following vote: Yeas, 61; nays, 35; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, King J, King P, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Walk, Wang, West, and Mr. Speaker - 61.

Voting nay: Representatives Allen, Ballard, Barnes, Betrozoff, Bond, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Johnson, Kaiser, Lewis, Mitchell, Moon, Nealey, Padden, Patrick, Prince, Schmidt, Silver, Smith C, Struthers, Taylor, Van Luven, Vander Stoep, Vekich, Williams B, Williams J, Wilson, Zellinsky - 35.

Excused: Representatives King R, Van Dyken - 2.

Engrossed Senate Bill No. 4432 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.

SENATE BILL NO. 4388, by Senators Warnke and Zimmerman; by State Treasurer request

Changing provisions relating to the cashing of checks, drafts, and warrants by the state treasurer.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4388, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 94.

Voting nay: Representatives Moon, Zellinsky - 2.

Excused: Representatives King R, Van Dyken - 2.

Senate Bill No. 4388, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4415, by Senators Gaspard, Bauer, Kiskaddon, Bender, Hughes, Shinpoch and Conner

Providing for standardized high school transcripts and high school diplomas.

The bill was read the second time. Committee on Education recommendation: Majority, do pass with the following amendment:

On page 1, line 23 before "decision" insert "prospective employee's"

On motion of Ms. Galloway, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Galloway and Dickie spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4415 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Galloway, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Van Dyken - 2.

Engrossed Senate Bill No. 4415 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 Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 4228 AS AMENDED BY THE HOUSE, by Senators Fleming and McDermott

Changing the grounds for malicious harassment.

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

Representative McMullen spoke in favor of the bill, and Representatives Padden, B. Williams and Schmidt spoke against it.

Mr. McMullen again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4228 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 31; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Silver, Smitherman, Sommers, Stratton, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 65.

Voting nay: Representatives Ballard, Barnes, Betrozoff, Bond, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Haugen, Isaacson, Mitchell, Nealey, Padden, Prince, Schmidt, Schoon, Smith C, Smith L, Struthers, Sutherland, Tanner, Van Luven, West, Williams B, Williams J, Wilson, Zellinsky - 31.

Excused: Representatives King R, Van Dyken - 2.

Engrossed Senate Bill No. 4228 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4329 AS AMENDED BY THE HOUSE, by Committee on Agriculture (originally sponsored by Senators McDermott, Hansen and Barr)

Providing for the management of the Milwaukee Road corridor.

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

Representative Rust spoke in favor of passage of the bill, and Representatives Tilly and Dickie spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4329 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 20; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Luven, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Ballard, Bond, Cantu, Clayton, Dickie, Fuhrman, Garrett, Hankins, Hastings, Isaacson, Nealey, Padden, Prince, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams J - 20.

Excused: Representatives King R. Van Dyken - 2.

Engrossed Substitute Senate Bill No. 4329 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Grimm and R. King, who were excused.

MESSAGE FROM THE SENATE

February 24, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3133,
 SUBSTITUTE SENATE BILL NO. 3620,
 SUBSTITUTE SENATE BILL NO. 4313,
 SENATE BILL NO. 4513,
 SUBSTITUTE SENATE BILL NO. 4775,
 SENATE JOINT MEMORIAL NO. 127,
 SENATE JOINT MEMORIAL NO. 131,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

THIRD READING

ENGROSSED SENATE BILL NO. 4607 AS AMENDED BY THE HOUSE, by Senators Hughes, Lee, Talmadge and McDermott; by Department of Ecology request

Authorizing procedures to dispose of hazardous wastes.

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

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4607 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 5; absent, 10; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, Kreidler, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Bond, Clayton, Hastings, Nealey, Padden - 5.

Absent: Representatives Armstrong, Brekke, Fiske, Fuhrman, King P, Lewis, Locke, Powers, Prince, Todd - 10.

Excused: Representatives Grimm, King R - 2.

Engrossed Senate Bill No. 4607 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.

SUBSTITUTE SENATE BILL NO. 4849 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senator Hughes)

Establishing the honorary commercial attache' program.

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

Mr. Braddock spoke in favor of passage of the bill, and Mr. B. Williams spoke against it.

Mr. Braddock spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4849 as amended by the House, and the bill passed the House by the following vote: Yeas, 67; nays, 25; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Barnes, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Locke, Miller, Nealey, Niemi, Padden, Patrick, Smith C, Smith L, Struthers, Vander Stoep, West, Williams B, Williams J - 25.

Absent: Representatives Lewis, Prince, Schmidt, Taylor - 4.

Excused: Representatives Grimm, King R - 2.

Substitute Senate Bill No. 4849 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4430, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Hughes)

Modifying provisions relating to courts.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. McMullen, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4430 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien,

Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Dickie - 1.

Excused: Representatives Grimm, King R - 2.

Engrossed Substitute Senate Bill No. 4430 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.

SENATE BILL NO. 4371, by Senators Talmadge, Newhouse, Hemstad and Hughes

Deleting the requirement that executory contracts for the sale of real property be recorded.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4371, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grimm, King R - 2.

Senate Bill No. 4371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4439, by Senators Talmadge, Hemstad and Hughes

Amending or repealing statutes superseded by court rule.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4439, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Betzoff, Locke - 2.

Excused: Representatives Grimm, King R - 2.

Senate Bill No. 4439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4788, by Committee on Parks & Ecology (originally sponsored by Senators Woody, Haley, Hughes, Lee, Rinehart and Goltz)

Authorizing the creation of habitat buffer zone to protect endangered and threatened species.

The bill was read the second time.

Mr. Van Luven moved adoption of the following amendment:

On page 1, line 22 after "eagles" insert "on public lands"

Mr. Van Luven spoke in favor of the amendment, and Representatives Rust and Charnley spoke against it.

The amendment was not adopted.

Mr. Hastings moved adoption of the following amendment:

On page 1, strike lines 17 through 19.

Mr. Hastings spoke in favor of the amendment, and Ms. Rust spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to Substitute Senate Bill No. 4788, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Grimm, King R - 2.

Mr. Isaacson moved adoption of the following amendment:

On page 1, line 27 after "properties" insert ": PROVIDED, that no conservation easement may be established which decreases the fair market value of private property without the owner being compensated for such loss"

Mr. Isaacson spoke in favor of the amendment, and Ms. Rust spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Isaacson to Substitute Senate Bill No. 4788, and the amendment was not adopted by the following vote: Yeas, 46; nays, 50; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Watk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Grimm, King R - 2.

On motion of Mr. Isaacson, the following amendment was adopted:

On page 2, strike lines 10 and 11 and insert "Additionally, one member of each of the two largest political caucuses in each house shall be appointed to serve at-large on the select committee. The"

Representative Grimm appeared at the bar of the House.

Mr. Isaacson moved adoption of the following amendment:

On page 2, line 4 after "legislature," strike all material through "committee," on line 11 and insert "The select committee shall consist of sixteen members, four from the two largest political

caucuses in each house, appointed by the speaker of the house and the president of the senate respectively."

Representatives Isaacson and Wang spoke in favor of the amendment, and it was adopted.

Ms. Allen moved adoption of the following amendment:

Beginning on page 1, line 20 strike all of section 3 and renumber the remaining sections consecutively.

Ms. Allen spoke in favor of the amendment, and Ms. Rust spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Allen to Substitute Senate Bill No. 4788, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Nelson D, Niemi, O'Brien, Pruitt, Rust, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Absent: Representative Powers - 1.

Excused: Representative King R - 1.

The Clerk read the following amendment by Representative Allen:

On page 1, beginning on line 20 strike all of sections 3 and 4 and insert:

"NEW SECTION. Sec. 3. The department of game shall study the need for protection of habitat of bald eagles and other endangered species, procedures for purchase or trade and establishment of conservation easements and/or leases to protect such habitats, and compensation and incentives to private property owners to protect such species and their habitat. The department shall report its findings as well as the current list of endangered species designated by rule by the department pursuant to RCW 77.12.020(6) to the 1985 legislature."

Renumber the remaining section consecutively and correct internal references accordingly.

With the consent of the House, Ms. Allen withdrew the amendment.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Rust spoke in favor of passage of the bill, and Representatives Allen and Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4788 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 59.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dellwo, Dickie, Hankins, Hastings, Isaacson, Johnson, Mitchell, Nealey, Nelson G, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 38.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4788 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193, by Committee on Parks & Ecology (originally sponsored by Senator Talmadge)

Modifying provisions of the Washington clean air act.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day, February 21, 1984.)

On motion of Ms. Rust, the committee amendment was adopted.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Rust spoke in favor of passage of the bill, and Representatives Patrick and Schoon spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3193 as amended by the House, and the bill passed the House by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Fiske, Galloway, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 54.

Voting nay: Representatives Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Haugen, Isaacson, Johnson, Long, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Tanner, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams J, Wilson, Zellinsky - 43.

Excused: Representative King R - 1.

Engrossed Second Substitute Senate Bill No. 3193 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.

SUBSTITUTE SENATE BILL NO. 4628, by Committee on Local Government (originally sponsored by Senators Vognild, Newhouse and Conner)

Authorizing vacancies in sheriffs' offices to be filled by laid-off employees.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 20, 1984.)

On motion of Mr. Moon, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4628 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Van Dyken - 1.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4628 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.

SUBSTITUTE SENATE BILL NO. 4711, by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman and Granlund)

Modifying and reorganizing provisions related to fire protection districts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day, February 21, 1984.)

On motion of Mr. Moon, the committee amendments were adopted.

Ms. Miller moved adoption of the following amendment:
On page 55, line 32 strike all of section 93.

Ms. Miller spoke in favor of the amendment, and Representatives Moon and Mitchell spoke against it.

The amendment was not adopted.

On motion of Mr. Moon, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill, and Ms. Miller spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4711 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Cantu, Fuhrman, Miller, Padden, West - 6.
Excused: Representative King R - 1.

Substitute Senate Bill No. 4711 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.

SUBSTITUTE SENATE BILL NO. 4367, by Committee on Natural Resources (originally sponsored by Senators Owen, Peterson, McManus, Metcalf, Quigg and Fuller)

Facilitating cooperative fish and wildlife enhancement projects.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Stratton spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4367, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver,

Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4367, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4758, by Committee on Commerce & Labor (originally sponsored by Senators Woody, Sellar, Haley, Vognild, Benitz and Williams)

Modifying the regulation of the alcohol content of certain candy, food, and wine.

The bill was read the second time.

Mr. Ballard moved adoption of the following amendment:

On page 8, after line 27 insert:

"NEW SECTION, Sec. 7. There is added to chapter 66.44 RCW a new section to read as follows:

It shall be unlawful for any person to sell a confectionary bearing or containing any alcohol from natural or artificial alcohol flavoring without requiring proof that the purchaser is twenty-one years of age or older."

Representatives Ballard and Isaacson spoke in favor of the amendment, and Representatives J. King and Barrett spoke against it.

Representatives Ballard and Isaacson spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Vander Stoep moved adoption of the following amendment by Representatives Vander Stoep and Bond:

On page 8, after line 27 insert:

"NEW SECTION, Sec. 7. There is added to chapter 66.44 RCW a new section to read as follows:

It shall be unlawful for any person to consume a confectionary bearing or containing any alcohol from natural or artificial alcohol flavoring or possess an open container containing or which contained such a confectionary while operating a motor vehicle."

Representatives Vander Stoep and Bond spoke in favor of the amendment, and Mr. J. King spoke against it.

The amendment was not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4758, and the bill passed the House by the following vote: Yeas, 75; nays, 21; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Charnley, Clayton, Crane, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Silver, Smith L, Smitherman, Sommers, Struthers, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Armstrong, Ballard, Cantu, Chandler, Dellwo, Dickie, Fisch, Garrett, Isaacson, Jacobsen, Lux, Moon, Nealey, Pruitt, Schoon, Scott, Smith C, Stratton, Van Dyken, Van Luven, Williams J - 21.

Absent: Representative Sutherland - 1.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4758, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4358, by Senators Warnke, McDermott, Moore, Newhouse, McManus, Deccio and Fuller

Repealing the hotel excise tax for convention and trade facilities.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

Mr. Moon moved adoption of the committee amendments.

Representatives Moon and Van Dyken spoke in favor of the committee amendments, and Representatives J. King, Barrett, Ebersole and Broback spoke against them.

Mr. Moon spoke again in favor of the amendments.

The committee amendments were not adopted.

Mr. P. King moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each amended 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, performing arts center facilities, and/or visual arts center facilities or for distributing information for the purposes of attracting visitors and encouraging tourism.

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."

Mr. P. King spoke in favor of the amendment, and Mr. J. King spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative P. King to Senate Bill No. 4358, and the amendment was not adopted by the following vote: Yeas, 12; nays, 85; excused, 1.

Voting yeas: Representatives Allen, Armstrong, Charnley, Fisch, Galloway, King P, Long, Moon, Schmidt, Scott, Van Dyken, Wilson - 12.

Voting nays: Representatives Addison, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Loven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 85.

Excused: Representative King R - 1.

Mr. Moon moved adoption of the following amendment by Representatives Van Dyken, Moon and Allen:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each amended 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, that does not have its own privately owned convention facilities in or immediately adjacent to the lodging facility, 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 publicly owned 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.

As used in this section, 'privately owned convention facility' means a facility used for convention and meeting purposes that, subject to the current uniform fire code in force in the city, has a seating capacity in excess of two hundred fifty persons, but does not include facilities primarily used for dining purposes, such as restaurant or coffee shop areas."

Representatives Moon, Allen and Van Dyken spoke in favor of the amendment, and Representatives J. King, Isaacson, Ebersole and Brough spoke against it.

POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Jacobsen.

Mr. Jacobsen: "Representative Moon, who shall pay this tax and how small a unit of lodging shall be covered by this tax?"

Mr. Moon: "Very briefly, it applies only to cities of 25,000 or more and less than 400,000, so that excludes the City of Seattle. If you look on line 22 of the amendment, it says, '...no such tax may be levied on any premises having fewer than fifteen lodging units.' It will not affect the small hotel/motel units."

The amendment was not adopted.

Senate Bill No. 4358 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3561, by Committee on Commerce & Labor (originally sponsored by Senator Vognild)

Modifying qualifications for unemployment compensation.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Ms. Belcher, the committee amendments were adopted.

MOTION

On motion of Mr. Wang, further consideration of Substitute Senate Bill No. 3561 was deferred, and the bill was ordered placed on the second reading calendar following Senate Bill No. 4773.

SENATE BILL NO. 4300, by Senators Peterson and Vognild

Authorizing participation by members of affiliated nonprofit organizations in chapter's gambling activities.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Monohon spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Isaacson.

Mr. Isaacson: "Would anything preclude a person from setting up a club, getting the cards, setting up a storefront and having a gambling hall, and anybody who comes through the door is signed up as a member and pays a two-bit fee in order to play in that club?"

Ms. Monohon: "I think they still have to go through the Gambling Commission and meet all of the gambling rules and regulations as far as a club or organization as defined by law."

Representatives Isaacson and Patrick spoke against passage of the bill, and Mr. Struthers spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4300, and the bill passed the House by the following vote: Yeas, 72; nays, 25; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Lewis, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Todd, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Bond, Broback, Cantu, Chandler, Fuhrman, Galloway, Isaacson, Johnson, Kreidler, Locke, Miller, Nealey, Patrick, Pruitt, Smith L, Sutherland, Tilly, Van Dyken, Van Luven, Vander Stoep, Williams B - 25.

Excused: Representative King R - 1.

Senate Bill No. 4300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4325, by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, McCaslin and Vognild)

Modifying provisions relating to cigarette sales.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

Mr. J. King moved adoption of the committee amendment to page 2, line 21.

Mr. J. King spoke in favor of the committee amendment, and Mr. Vekich spoke against it.

Mr. J. King spoke again in favor of the amendment, and Representatives Brough and Patrick spoke against it.

Mr. Vekich again opposed the amendment, and Representatives Barrett and Wang spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 2, line 21 of Engrossed Substitute Senate Bill No. 4325, and the amendment was adopted by the following vote: Yeas, 65; nays, 29; absent, 3; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Grimm, Halsan, Haugen, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, McClure, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, Powers, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Addison, Allen, Brough, Cantu, Dickie, Fuhrman, Gallagher, Galloway, Garrett, Hankins, Hastings, Isaacson, Johnson, Lewis, Locke, Long, Lux, Miller, Nealey, O'Brien, Padden, Patrick, Prince, Pruitt, Stratton, Struthers, Taylor, Vander Stoep, Vekich - 29.

Absent: Representatives Heck, McMullen, Van Luven - 3.

Excused: Representative King R - 1.

On motion of Mr. J. King, the committee amendment to page 2, line 26 was adopted.

Mr. Vekich moved adoption of the following amendment by Representatives Vekich and Patrick:

On page 3, line 6 after "cigarettes" strike the period and insert "PROVIDED, That where the wholesaler is an affiliate or a subsidiary, or otherwise operates under common direction

and control of a person who is engaged in the business of making sales of other products at wholesale to a retailer, both persons shall be considered to be one wholesaler for purposes of determining the 'cost of doing business by the wholesaler'."

Representatives Vekich, Patrick, Brough and Sutherland spoke in favor of the amendment, and Representatives J. King, Wang and Broback spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendments:

On page 4, line 14 strike "~~((ten)) twelve and five-tenths~~" and insert "ten"

On page 4, line 22 strike "~~((ten)) twelve and five-tenths~~" and insert "ten"

Representatives Barnes and Brough spoke in favor of the amendments, and Representative J. King spoke against them.

Mr. Barnes spoke again in favor of the amendments.

The amendments were not adopted.

Ms. Brough moved adoption of the following amendment by Representatives Brough and Walk:

On page 1, beginning on line 5 strike all of section 1 and renumber the remaining sections consecutively.

Representatives Brough, Patrick and Lux spoke in favor of the amendment, and Representatives J. King, Wang and Hastings spoke against it.

Mr. Garrett demanded the previous question and the demand was sustained.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Brough and Walk to Engrossed Substitute Senate Bill No. 4325, and the amendment was not adopted by the following vote:

Yeas, 18; nays, 78; absent, 1; excused, 1.

Voting yea: Representatives Barnes, Bond, Brough, Gallagher, Galloway, Garrett, Grimm, Locke, Lux, O'Brien, Patrick, Prince, Struthers, Taylor, Tilly, Vander Stoep, Vekich, Walk - 18.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Van Luven, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 78.

Absent: Representative Heck - 1.

Excused: Representative King R - 1.

On motion of Mr. J. King, the committee amendment to page 5, line 19 was adopted.

Mr. Padden moved adoption of the following amendment:

Beginning on page 4, after line 31 strike all of section 2 and insert:

"NEW SECTION. Sec. 2. There is added to chapter 19.91 RCW a new section to read as follows:

(1) This chapter shall expire on June 30, 1986, unless extended by law indefinitely or for an additional fixed period of time. The legislative budget committee shall cause a performance audit to be conducted of this chapter. The final audit report shall be available to the legislature at least six months prior to the scheduled expiration date. The legislative budget committee shall make objective findings of fact, conclusions, and recommendations as to the continuation, modification, or expiration of this chapter.

(2) In conducting its audit, the legislative budget committee shall consider, but not be limited to, the following areas:

(a) Definition, adequacy, and methods of determining cigarette pricing;

(b) The advantages, disadvantages, and effects of including cash discounts in the act's pricing formula; and

(c) The effect that state deregulation of cigarette pricing would have on wholesalers, retailers, and consumers.

(3) The legislative budget committee shall hold meetings and hearings at the times and places it designates to accomplish the purposes of this section. It shall make use of existing legislative facilities and staff of the senate and house of representatives."

Representatives Padden and J. King spoke in favor of the amendment, and it was adopted.

On motion of Mr. J. King, the following amendments to the title were adopted:

On page 1, beginning on line 2 of the title strike "a new section" and insert "new sections; and providing an effective date"

On page 1, line 2 of the title after "19.91.010;" insert "adding a new section to chapter 19.91 RCW."

Engrossed Substitute Senate Bill No. 4325 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 4668, by Senators Vognild, McManus, Lee and McDermott; by Emergency Commission on Economic Development request

Establishing the Washington State University small business development center.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4668, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Niemi, Tanner - 2.

Excused: Representative King R - 1.

Senate Bill No. 4668, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4773, by Senators Vognild and McManus

Extending the small business innovators' opportunity program.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4773, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Niemi - 1.

Excused: Representative King R - 1.

Senate Bill No. 4773, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

SUBSTITUTE SENATE BILL NO. 3561:

The House resumed consideration of the bill on second reading.

Mr. Ballard moved adoption of the following amendment:

On page 3, following line 10 insert:

"Sec. 3, Section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090 are each amended to read as follows:

(1) An individual shall be disqualified for benefits for any week with respect to which the commissioner finds that ~~((his)) the individual's unemployment is due to a ((stoppage of work which exists because of a))~~ labor dispute at the factory, establishment, or other premises at which ~~((he)) the individual~~ is or was last employed~~((--PROVIDED--That))~~;

(2) Subsection (1) of this section shall not apply if it is shown to the satisfaction of the commissioner that:

~~((+he)) (a) The individual is not participating in or financing or directly interested in the labor dispute ((which caused the stoppage of work)); and ((-he)) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the ((stoppage)) labor dispute, there were members employed at the premises at which the ((stoppage)) labor dispute occurs, any of whom are participating in or financing or directly interested in the dispute((--PROVIDED--That)); or~~

(b) The individual is unemployed due to a lockout by his or her employer, except for lockouts by employers who are members of a multi-employer bargaining unit if the employees locked out belong to the same bargaining unit which has struck a member of the multi-employer bargaining unit; or

(c) The labor dispute has been settled by the negotiating parties, or the labor organization has provided written notice to the employer that the labor dispute is terminated.

(3) For the purposes of this section, if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall((--for the purpose of this subsection;)) be deemed to be a separate factory, establishment, or other premises."

POINT OF ORDER

Ms. Belcher: "Mr. Speaker, I ask the Speaker to rule on scope and object of this amendment."

SPEAKER'S RULING

The Speaker: "The Speaker has examined SSB 3561 and the amendment. While the title is broad, the object of the bill is to deal with deferred compensation as it relates to unemployment compensation for the marine industry. The amendment attempts to introduce the new subject of unemployment compensation during any lockout or labor dispute. Thus, the amendment is beyond the object of SSB 3561. Your point is well taken, Representative Belcher."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Ballard spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3561 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Haisan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly,

Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 3561 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.

SENATE BILL NO. 4348, by Senator Vognild

Modifying provisions relating to class K liquor licenses.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4348, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smitherman, Sommers, Struthers, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, Williams J, Wilson, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Ballard, Betzoff, Dellwo, Fuhrman, Miller, Padden, Schoon, Smith L, Stratton, Sutherland, Tilly, Van Dyken, Van Luven, West, Williams B - 15.

Excused: Representative King R - 1.

Senate Bill No. 4348, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4401, by Senators Thompson, Lee, Moore and Sellar

Permitting port commissions to negotiate the sale of property owned by the port district.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 1, line 8 after "sale" insert "by at least a two-thirds vote of the full commission"

On motion of Mr. Moon, the amendment was adopted.

Mr. Moon moved adoption of the following amendment by Representatives Moon, Isaacson and Allen:

On page 1, line 17 after "appraisals" insert "performed by licensed real estate brokers or professionally designated real estate appraisers as defined in RCW 74.46.020"

Representatives Moon and Isaacson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4401 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly,

Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Senate Bill No. 4401 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.

SUBSTITUTE SENATE BILL NO. 3098, by Committee on Local Government (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Providing for filling county freeholder vacancies.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Moon, the committee amendments were adopted.

Mr. Ballard moved adoption of the following amendment:

Strike everything after the enacting clause and insert:

"NEW SECTION, Sec. 1. There is added to chapter 36.32 RCW a new section to read as follows:

Vacancies in the position of county freeholder shall be filled with a person qualified for the position who is appointed by majority action of the remaining county freeholders."

Representatives Ballard, Allen, Locke and West spoke in favor of the amendment, and Representatives Moon and Hine spoke against it.

The amendment was adopted.

On motion of Mr. Ballard, the following amendment to the title was adopted:

On page 1, line 1 of the title after "and" strike the remainder of the title and insert "adding a new section to chapter 36.32 RCW."

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3098 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 3098 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.

SENATE BILL NO. 4650, by Senators Thompson, Zimmerman and Granlund

Modifying provisions relating to burning permits issued by fire protection districts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Moon, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4650 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Senate Bill No. 4650 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3622, by Committee on State Government (originally sponsored by Senators Shinpoch, Jones, Fleming, Bottiger, Sellar, Hayner and Clarke)

Creating the legislative facilities committee to provide legislative control over legislative buildings.

The bill was read the second time. Committee on State Government recommendation: Majority do pass as amended. (For amendment, see Journal, 46th Day, February 23, 1984.)

On motion of Ms. Niemi, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3827, by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Benitz, Goltz and Deccio)

Requiring that one member of Washington's delegation to the Pacific Northwest Electric Power and Conservation Planning Council be from eastern Washington.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 38th Day, February 15, 1984.)

Mr. D. Nelson moved adoption of the committee amendment. Representatives D. Nelson, Tilly and Barnes spoke in favor of the amendment, and Representatives Isaacson, and Long spoke against it.

Mr. D. Nelson spoke again in favor of the committee amendment, and Representatives Isaacson and Long again opposed it.

The amendment was adopted.

On motion of Mr. Tilly, the following amendment by Representatives Tilly and D. Nelson was adopted:

On page 1, line 19 strike "No later than June 30, 1984," and insert "For the first available appointment"

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 4220, by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, Jones, Vognild, Bender, Moore, Williams, Warnke, Bauer and Zimmerman)

Requiring theatrical enterprises to post bonds or other security.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4220, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4220, having received the 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 Mr. Heck, the House adjourned until 9:00 a.m., Saturday, February 25, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 25, 1984

The House was called to order at 9:00 a.m. by the Speaker (Mr. Heck presiding). The Clerk called the roll and all members were present except Representatives Egger, R. King, Kreidler and Wang, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Nakagawa and Shannon Todd. Prayer was offered by The Reverend Peter Mans, Minister of the Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

February 24, 1984

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 739,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1687,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Charnley, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-140, by Representatives Hastings, Struthers, Nealey and Prince

WHEREAS, The City of Pasco was officially designated as a town on the Northern Pacific Railroad in November, 1884; and

WHEREAS, Pasco is now in the midst of celebrating its centennial; and

WHEREAS, The theme of this year-long celebration is "100 Years Proud"; and

WHEREAS, The celebration will feature all sorts of activities including plays, a transportation parade and a community picnic; and

WHEREAS, The City of Pasco has had a solid and proud past that will provide a very stable base for its future; and

WHEREAS, In the last one hundred years, the City of Pasco has dealt with major economic, ethnic and environmental issues without any major problems; and

WHEREAS, The entire community is involved in and excited about the celebration; and

WHEREAS, Pasco was - and still is - the home of some of the most majestic sunsets in the world;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives join with the City of Pasco in celebrating its centennial; and

BE IT FURTHER RESOLVED, That we recognize the importance of Pasco to the cultural and economic stability of our state; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor of Pasco, Joe Jackson, and the Pasco Centennial Committee.

Mr. Hastings moved adoption of the resolution. Representatives Hastings and Isaacson spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Charnley, the House reverted to the seventh order of business.

THIRD READING

SENATE BILL NO. 4358, by Senators Warnke, McDermott, Moore, Newhouse, McManus, Deccio and Fuller

Repealing the hotel excise tax for convention and trade facilities.

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

Representatives J. King, Taylor and Ebersole spoke in favor of passage of the bill, and Mr. Moon spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4358, and the bill passed the House by the following vote: Yeas, 79; nays, 14; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 79.

Voting nay: Representatives Belcher, Braddock, Brekke, Burns, Charnley, Galloway, Jacobsen, King P, Locke, Moon, Nelson D, Rust, Scott, and Mr. Speaker - 14.

Absent: Representative Van Dyken - 1.

Excused: Representatives Egger, King R, Kreidler, Wang - 4.

Senate Bill No. 4358, having received the 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 to have my vote on SB 4358 recorded as a 'No.'

KATHERINE ALLEN, 21st District.

STATEMENT FOR THE JOURNAL

I wish to have my vote on SB 4358 recorded as a 'No.'

JEANINE LONG, 44th District.

MOTION

On motion of Mr. Charnley, the House reverted to the sixth order of business.

Representatives Kreidler and Wang appeared at the bar of the House.

SECOND READING

SUBSTITUTE SENATE BILL NO: 3223, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Hughes, Bender and Fleming; by Attorney General request)

Establishing the Antitrust/Consumer Protection Improvements Act.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

Mr. McMullen moved adoption of the committee amendment to page 1, line 23.

Mr. McMullen spoke in favor of the amendment, and Mr. Padden spoke against it.

Mr. McMullen then spoke against the amendment, and it was not adopted.

On motion of Mr. McMullen, the committee amendment to page 2, line 3 was adopted.

Mr. Armstrong moved adoption of the following amendment:

On page 2, after line 19 insert the following:

"NEW SECTION. Sec. 3. There is added to chapter 279, Laws of 1977 ex. sess. and chapter 59.20 RCW a new section to read as follows:

A violation of this chapter by the landlord constitutes an unfair or deceptive act, or practice, or an unfair method of competition under the consumer protection act, chapter 19.86 RCW."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would ask you to rule on this amendment as to scope and object."

SPEAKER'S RULING (MR. HECK PRESIDING)

The Speaker (Mr. Heck presiding): "The Speaker has examined SSB 3223 and the amendment by Representative Armstrong. The title of the bill is sufficiently broad to encompass the amendment. SSB 3223 as it came from the Senate had several objects and the amendment would have been included. However, this body has just adopted an amendment which narrows the object of SSB 3223. Thus, the amendment is beyond the object of the bill. Your point is well taken, Representative Barrett."

On motion of Mr. McMullen, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and Armstrong spoke in favor of passage of the bill, and Representatives West and Barrett spoke against it.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Appelwick.

Mr. Appelwick: "As I understand the rules of construction, the court would presumptively view this amendment as a change in the law or a change in legislative intent. Is it the intent here to change previous legislative intent or law?"

Mr. Armstrong: "No. This is not intended to change previous legislative intent. It is intended to clarify an ambiguity recently brought to light in a Supreme Court decision."

Mr. Appelwick: "Would this clarification apply retroactively to cases in the courts or to actions under this statute before this amendment?"

Mr. Armstrong: "No, legislative intent can only be stated prospectively. The court must decide whether we are restating intent that already existed or whether we have made a change in the previous legislature's intent."

Mr. Appelwick spoke in favor of the bill, and Mr. Padden spoke against it.

Mr. West again opposed the bill, and Mr. Appelwick spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3223 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 45.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luvan, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 51.

Excused: Representatives Egger, King R - 2.

Substitute Senate Bill No. 3223 as amended by the House, having failed to receive the constitutional majority, was declared lost.

The Speaker (Mr. Heck presiding) declared the House to be at ease.
The Speaker called the House to order.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 69,
HOUSE BILL NO. 739,
HOUSE BILL NO. 1373,
SUBSTITUTE HOUSE BILL NO. 1687,
SUBSTITUTE SENATE BILL NO. 3133,
SUBSTITUTE SENATE BILL NO. 3620,
SUBSTITUTE SENATE BILL NO. 4313,
SENATE BILL NO. 4513,
SUBSTITUTE SENATE BILL NO. 4775,
SENATE JOINT MEMORIAL NO. 127,
SENATE JOINT MEMORIAL NO. 131.

SECOND READING

SENATE BILL NO. 4437, by Senators Talmadge, Hemstad, Clarke and Thompson
Eliminating the provision of law school credits for WWII veterans.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Burns spoke in favor of passage of the bill, and Mr. Ebersole spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4437, and the bill passed the House by the following vote: Yeas, 83; nays, 13; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Dellwo, Ellis, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King P. Kreidler, Lewis, Locke, Long, Lux, McClure, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Barnes, Bond, Crane, Dickie, Ebersole, Fisch, Fisher, Kaiser, King J, McMullen, Smith C, Stratton, Vekich - 13.

Excused: Representatives Egger, King R - 2.

Senate Bill No. 4437, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

COMMITTEE ASSIGNMENTS

The Speaker announced the following appointments to the Joint Select Committee on Workers' Compensation:

Representatives Ballard, Cantu, Clayton, R. King, Lux and McMullen.

SENATE BILL NO. 4445, by Senators Moore, Benitz, Hansen, Hayner and Newhouse

Allowing beer and wine producers to provide product information to consumers on licensed retail premises.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. J. King, the committee amendment was adopted.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4445 as amended by the HOUSe, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Ballard, Schoon, Stratton, Williams B - 4.

Excused: Representatives Egger, King R - 2.

Senate Bill No. 4445 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.

SUBSTITUTE SENATE BILL NO. 4419, by Committee on Agriculture (originally sponsored by Senators Goltz, Hansen and Benitz)

Updating milk and milk product testing laws.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 20, 1984.)

Mr. Kaiser moved adoption of the committee amendment striking everything after the enacting clause.

On motion of Mr. Kaiser, the following amendment to the committee amendment was adopted:

Beginning on page 2, line 37 after "following" strike all material through "process" on page 3, line 2 of the amendment, and insert "the issuance of the final order"

The committee amendment as amended was adopted.

On motion of Mr. Kaiser, the committee amendment to the title of the bill was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kaiser and C. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4419 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Substitute Senate Bill No. 4419 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.

SUBSTITUTE SENATE BILL NO. 3064, by Committee on Commerce & Labor (originally sponsored by Senator Moore)

Regulating taxicab companies.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

Mr. Sutherland moved adoption of the committee amendment inserting new language after the enacting clause.

Mr. Sanders moved adoption of the following amendments by Representatives Sanders, J. Williams and Van Luven to the committee amendment:

On page 1, line 28 after "laws" strike ", even if the effect is anticompetitive"

On page 2, line 5 after "jurisdictions" strike ", even if the effect is anticompetitive"

Representatives Sanders and Locke spoke in favor of the amendments to the amendment, and they were adopted.

Mr. Sutherland spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Mr. Sutherland, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3064 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Chandler, King J, Sanders - 4.

Excused: Representatives Egger, King R - 2.

Substitute Senate Bill No. 3064 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE SENATE BILL NO. 4778, by Committee on Financial Institutions (originally sponsored by Senator Metcalf)

Requiring actions to examine the federal reserve system.

The bill was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang and Ballard:

On page 1, line 21 after "reserve system." strike lines 22 through 26.

Representatives Wang and Hine spoke in favor of the amendment, and Representatives Padden, Lux and Addison spoke against it.

The amendment was not adopted.

The bill was passed to Committee on Rules for third reading.

SENATE BILL NO. 4731, by Senators Bottiger, Hayner and Conner

Providing membership in the retirement system to otherwise eligible persons enrolled in volunteer firemens' relief and pensions.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4731, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Senate Bill No. 4731, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4653, by Committee on Social & Health Services (originally sponsored by Senators Peterson, McManus, Wojahn, Deccio, Moore and Bauer; by Lieutenant Governor request)

Protecting children including revising the laws regulating the Washington council for the prevention of child abuse and neglect.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Kreidler, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4653 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Engrossed Substitute Senate Bill No. 4653 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 SENATE

February 24, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 571,
 ENGROSSED HOUSE BILL NO. 596,
 HOUSE BILL NO. 1119,
 SUBSTITUTE HOUSE BILL NO. 1153,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1227,
 SUBSTITUTE HOUSE BILL NO. 1266,
 HOUSE BILL NO. 1295,
 ENGROSSED HOUSE BILL NO. 1328,
 SUBSTITUTE HOUSE BILL NO. 1400,
 ENGROSSED HOUSE BILL NO. 1409,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 25, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 69,
 HOUSE BILL NO. 739,
 HOUSE BILL NO. 1373,
 SUBSTITUTE HOUSE BILL NO. 1687,
 SENATE BILL NO. 3117,
 SUBSTITUTE SENATE BILL NO. 4220,
 SENATE BILL NO. 4300,
 SENATE BILL NO. 4348,
 SUBSTITUTE SENATE BILL NO. 4367,
 SENATE BILL NO. 4371,
 SENATE BILL NO. 4388,
 SENATE BILL NO. 4439,
 SENATE BILL NO. 4668,
 SENATE BILL NO. 4696,
 SUBSTITUTE SENATE BILL NO. 4758,
 SENATE BILL NO. 4773,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

ENGROSSED SENATE BILL NO. 4407, by Senators Hurley, Woody, Thompson, Hansen, McDermott and Granlund

Modifying provisions relating to the compensation of school district administrators.

The bill was read the second time.

On motion of Mr. B. Williams, the following amendment was adopted:

On page 2, after line 12 insert:

"(5) The superintendent of public instruction shall ensure compliance with this section and shall adopt rules under chapter 34.04 RCW for that purpose. The superintendent shall monitor the salary and compensation increases provided to employees and administrators by school districts."

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4407 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman,

Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Cantu - 1.
Excused: Representatives Egger, King R - 2.

Engrossed Senate Bill No. 4407 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.

SENATE BILL NO. 4338, by Senators Peterson and Sellar

Removing restrictions on motor vehicle renewals.

The bill was read the second time.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley, Barrett and Prince:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 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 all listed 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). For the purposes of this section, 'listed' standing, stopping, and parking violations include only those violations for which notice has been received from local agencies by the department one hundred fifty days or more before the date the vehicle license expires and that are placed on the records of the department. Notice of such violations received by the department later than one hundred fifty days before that date that are not satisfied shall be considered by the department in connection with any applications for license renewal in any subsequent license year. The renewal application may be processed by the department or its agents only if the applicant:

(a) Presents a preprinted renewal application showing no listed standing, stopping, and parking violations, or in the absence of such presentation, the agent verifies the information that would be contained on the preprinted renewal application; or

(b) If listed standing, stopping, and parking violations exist, presents proof of payment and pays a ten dollar surcharge.

(2) The ten dollar surcharge shall be allocated as follows:

(a) Five dollars shall be deposited in the motor vehicle fund to be used exclusively for the administrative costs of the department of licensing; and

(b) Five dollars shall be retained by the agent handling the renewal application to be used by the agent for the administration of this section.

(3) If there is a change in the registered owner of the vehicle, the department shall forward the information regarding the change to the local charging jurisdiction and release any hold on the renewal of the vehicle license resulting from parking violations incurred while the certificate of license registration was in a previous registered owner's name.

(4) The department shall send to all registered owners of vehicles who have been reported to have outstanding listed parking violations, at the time of renewal, a statement setting out the dates and jurisdictions in which the violations occurred as well as the amounts of unpaid fines and penalties relating to them and the surcharge to be collected.

Sec. 2. Section 8, chapter 136, Laws of 1979 ex. sess. as last amended by section 2, chapter 14, Laws of 1982 1st ex. sess. 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;

(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)) fifteen 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 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 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 last amended by section 3, chapter 14, Laws of 1982 1st ex. sess. 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)) fifteen days of 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 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.

NEW SECTION. Sec. 4. Section 1, chapter 14, Laws of 1982 1st ex. sess. and RCW 46.16.215 are each repealed.

NEW SECTION. Sec. 5. 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. 6. This act shall take effect on July 1, 1984."

Representatives Charnley and Ballard spoke in favor of the amendment, and it was adopted.

On motion of Mr. Charnley, the following amendment to the title was adopted:

In line 1 of the title, after "violations;" strike everything through "46.20.270;" on line 11, and insert "amending section 8, chapter 136, Laws of 1979 ex. sess. as last amended by section 2, chapter 14, Laws of 1982 1st ex. sess. and RCW 46.63.060; amending section 9, chapter 136, Laws of 1979 ex. sess. as last amended by section 3, chapter 14, Laws of 1982 1st ex. sess. and RCW 46.63.070; adding a new section to chapter 46.16 RCW;"

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Charnley, Prince and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4338 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Nelson G - 1.

Absent: Representative Smith C - 1.

Excused: Representatives Egger, King R - 2.

Senate Bill No. 4338 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.

SUBSTITUTE SENATE BILL NO. 4477, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Authorizing employer payment of employee contributions under public retirement systems.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. Grimm, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4477 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Substitute Senate Bill No. 4477 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

SENATE BILL NO. 4374, by Senator Fleming

Modifying provisions on the taxation of public development authorities.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendments:

On page 1, line 25 after "apply" insert "before July 1, 1986"

On page 2, after line 12 insert:

*NEW SECTION. Sec. 2. There is added to chapter 43.136 RCW a new section to read as follows:

The leasehold excise tax exemptions provided under RCW 35.21.755 shall be reviewed and considered in a public hearing as provided in RCW 43.136.030 through 43.136.050."

Renumber the sections consecutively and correct internal references accordingly.

Representatives Tilly and Vander Stoep spoke in favor of the amendments, and Representatives Sommers, Addison and Prince spoke against them.

With the consent of the House, Mr. Tilly withdrew the amendments.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives O'Brien, Tilly and Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4374, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Senate Bill No. 4374, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3834, by Senators Bottiger, Haley, Moore, Bender and Wojahn

Equalizing the authority of municipalities to impose local sales taxes.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill, and Mr. Hastings spoke against it.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Grimm, I question the impact on the general fund if this measure should pass. I asked the question in committee, if you recall. The fiscal note that we had was that the Department of Licensing had not yet prepared the estimate on what the impact is to the general fund because of the additional state matching money. Do we have the fiscal note yet?"

Mr. Grimm: "To the best of my knowledge there is no revision to the fiscal note that has been prepared and which was available at the Ways & Means Committee

meeting. I have since had secondhand knowledge of conversation held with people from the Department of Licensing and from the Legislative Transportation Committee. Perhaps Representative Walk is a better person to answer the question than I am. My understanding is that there are two limitations on the availability of state general fund match for local systems. One is, of course, the match that the locals derive and which is a potential liability to the state for the match, but the second is also that apparently there is an overall limitation on the motor vehicle excise tax. I believe, that it is one percent and apparently they are at that limit and there is no further ability to secure a match regardless of the wealth of the particular district, if it were to be increased as a result of the taking advantage of the three tenths of one percent sales tax."

Representatives Cantu, Wilson and Padden spoke against passage of the bill, and Representatives Charnley, Moon and Powers spoke in favor of it.

Mr. Cantu again opposed the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3834, and the bill passed the House by the following vote: Yeas, 58; nays, 38; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Nelson G, Njemi, O'Brien, Powers, Pruitt, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Sutherland, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dellwo, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Mitchell, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Stratton, Struthers, Tanner, Taylor, Tilly, Van Luvan, West, Williams B, Williams J, Wilson, Zellinsky - 38.

Excused: Representatives Egger, King R - 2.

Senate Bill No. 3834, having received the 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 SPEAKER

The Speaker announced he was signing:

- SUBSTITUTE HOUSE BILL NO. 571,
- HOUSE BILL NO. 596,
- HOUSE BILL NO. 1119,
- SUBSTITUTE HOUSE BILL NO. 1153,
- HOUSE BILL NO. 1328,
- SUBSTITUTE HOUSE BILL NO. 1400,
- HOUSE BILL NO. 1409,
- SENATE BILL NO. 3117,
- SUBSTITUTE SENATE BILL NO. 4220,
- SENATE BILL NO. 4300,
- SENATE BILL NO. 4348,
- SUBSTITUTE SENATE BILL NO. 4367,
- SENATE BILL NO. 4371,
- SENATE BILL NO. 4388,
- SENATE BILL NO. 4439,
- SENATE BILL NO. 4668,
- SENATE BILL NO. 4696,
- SUBSTITUTE SENATE BILL NO. 4758,
- SENATE BILL NO. 4773.

SENATE BILL NO. 4286, by Senators Vognild, Quigg and Wojahn; by Gambling Commission request

Repealing provisions relating to special taxes on coin-operated devices.

The bill was read the second time.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Monohon, Allen, Kreidler and Padden:

On page 1, after line 9 insert:

"NEW SECTION. Sec. 2. There is added to chapter 9.46 RCW a new section to read as follows:

The commission shall charge fees or increased fees on pull tabs sold over-the-counter and on sales from punchboards and pull tab devices at levels necessary to assure that the increased revenues are equal or greater to the amount of revenue lost by removing the special tax on coin-operated gambling devices in section 1 of this act."

Representatives Van Dyken and Monohon spoke in favor of the amendment, and it was adopted.

On motion of Mr. Van Dyken, the following amendment to the title was adopted:

On page 1, line 4 after "9.46.115;" insert "adding a new section to chapter 9.46 RCW;"

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4286 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Senate Bill No. 4286 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3901, by Committee on Commerce & Labor (originally sponsored by Senators McManus and Vognild)

Regulating agreements between suppliers and wholesale distributors of malt beverages and wine.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. J. King, the committee amendments were adopted.

Mr. Lux moved adoption of the following amendments by Representatives Lux and Garrett:

On page 2, after line 34 insert a new subsection as follows:

"(8) 'Exclusive franchise' means a franchise within the meaning of chapter 19.100 RCW when such franchise is granted or otherwise made available to only one person within a specified territory."

On page 4, after line 30 insert a new subsection as follows:

"(4) Grant an exclusive franchise or franchises."

Mr. Lux spoke in favor of the amendments, and Representatives Dellwo, Barrett and Zellinsky spoke against them.

POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Lux, this looks suspiciously, if you were to turn this around from a business standpoint to a labor standpoint, like a right-to-work

type of amendment. I wonder if you would be advocating that if that were the case?"

Mr. Lux: "I think, in light of the Supreme Court ruling the other day, that we probably are getting awfully close to that."

Mr. Lux spoke again in favor of the amendments, and Mr. Appelwick opposed them.

The amendments were not adopted.

The bill was passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE SENATE BILL NO. 4288, by Committee on Transportation (originally sponsored by Senators Barr, Thompson, Zimmerman, Patterson, Hansen and Peterson)

Restricting a limitation on rural arterial funds.

The bill was read the second time.

Ms. Schmidt moved adoption of the following amendments:

On page 1, line 21 after "That" insert ", until July 1, 1987."

On page 2, after line 8 insert:

NEW SECTION, Sec. 2. There is added to chapter 44.40 RCW a new section to read as follows:

The legislative transportation committee shall study the rural arterial program as it relates to the exemption of seventh class counties from the restriction on eligibility to receive funds from the rural arterial trust account imposed by RCW 36.79.140. This study shall consider the advisability of continuing the exemption established in section 1 of this act or establishing limits on the amounts that may be used for purposes not allowed by the eligibility restriction imposed by RCW 36.79.140. In conducting the study, the legislative transportation committee shall consider whether seventh class counties are using all other available revenue sources to avoid the necessity of diverting revenues collected for road purposes to other uses.

The legislative transportation committee shall report to the transportation committees in the house of representatives and the senate by January 1, 1987.

This section shall expire on June 30, 1987."

Renumber the remaining section consecutively.

Representatives Schmidt, Patrick, Walk and Charnley spoke in favor of the amendments, and Representatives Hine, Fisch, Fuhrman, Dellwo and Barrett spoke against them.

Representatives Schmidt and Patrick spoke again in favor of the amendments, and Representative Fisch again opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Schmidt to Substitute Senate Bill No. 4288, and the amendments were not adopted by the following vote: Yeas, 41; nays, 54; absent, 1; excused, 2.

Voting yea: Representatives Allen, Barnes, Belcher, Betzoff, Brough, Cantu, Charnley, Clayton, Dickie, Ellis, Fisher, Galloway, Garrett, Grimm, Hankins, Haugen, Holland, Jacobsen, Johnson, Kaiser, King J, Kreidler, Locke, Mitchell, O'Brien, Patrick, Powers, Pruitt, Rust, Schmidt, Schoon, Silver, Smith C, Smitherman, Sutherland, Van Dyken, Van Luven, Walk, Williams J, Wilson, Zellinsky - 41.

Voting nay: Representatives Addison, Appelwick, Armstrong, Ballard, Barrett, Bond, Braddock, Brekke, Broback, Burns, Chandler, Crane, Dellwo, Ebersole, Fisch, Fiske, Fuhrman, Gallagher, Halsan, Hastings, Heck, Hine, Isaacson, King P, Lewis, Long, Lux, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Prince, Sanders, Sayan, Scott, Smith L, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Wang, West, Williams B, and Mr. Speaker - 54.

Absent: Representative McClure - 1.

Excused: Representatives Egger, King R - 2.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk and Prince spoke in favor of passage of the bill, and Representatives Wilson and Sutherland spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4288, and the bill passed the House by the following vote: Yeas, 65; nays, 31; excused, 2.

Voting yea: Representatives Armstrong, Ballard, Barrett, Betzoff, Bond, Braddock, Brekke, Burns, Chandler, Crane, Dellwo, Ebersole, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, Johnson, Kaiser, King P. Kreidler, Long, Lux, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Prince, Rust, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Addison, Allen, Appelwick, Barnes, Belcher, Broback, Brough, Cantu, Charnley, Clayton, Dickie, Ellis, Fisher, Galloway, Holland, Jacobsen, King J, Lewis, Locke, McClure, Patrick, Powers, Pruitt, Sanders, Sayan, Schmidt, Schoon, Sutherland, Van Luven, Williams J, Wilson - 31.

Excused: Representatives Egger, King R - 2.

Substitute Senate Bill No. 4288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, by Committee on Energy & Utilities (originally sponsored by Senators McDermott, Rasmussen, Woody, Talmadge, Hurley, Gaspard, Rinehart, Vognil, Peterson and Fleming)

Restricting utilities from terminating utility service for residential space heat.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

Mr. D. Nelson moved adoption of the committee amendment.

Mr. D. Nelson moved adoption of the following amendment to the committee amendment:

On page 2, after line 3 strike all of subsection (2) and renumber the remaining subsections consecutively.

Mr. D. Nelson spoke in favor of the amendment to the committee amendment, and Representatives Isaacson, Long and Barnes spoke against it.

Mr. D. Nelson spoke again in favor of the amendment to the committee amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative D. Nelson to the committee amendment to Engrossed Substitute Senate bill No. 4490, and the amendment to the amendment was not adopted by the following vote: Yeas, 46; nays, 50; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P. Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Stratton, Todd, Vekich, Walk, Wang, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 50.

Excused: Representatives Egger, King R - 2.

On motion of Mr. Isaacson, the following amendments by Representatives Isaacson and D. Nelson to the committee amendment were adopted:

On page 4, line 18 strike "and" and insert ",."

On page 4, line 19 after "termination" insert "and"

On page 6, line 38 strike "and" and insert a comma

On page 7, line 1 after "termination" insert "and"
 On page 10, line 9 strike "and" and insert " ;"
 On page 10, line 10 after "termination" insert "and"

Mr. Isaacson moved adoption of the following amendments to the committee amendment:

On page 5, after line 8 insert:

"(3) If a customer is unable to meet the conditions of a payment plan to which a customer has agreed, the customer may apply to the department of social and health services for assistance to prevent termination of residential space heating service. If the department approves such request, the amount of such assistance shall be the amount, after taking into account any other assistance, necessary to bring current the customer's account with the utility plus an amount reasonably estimated by the department to be sufficient to pay for service until the end of the November 15 - March 15 period. The department shall certify the total amount to the utility and the utility shall credit that amount to the customer's account. The utility shall not thereafter terminate service for failure to make payments until the balance of the account becomes delinquent. The utility shall deduct the total amount certified by the department from the amount of tax owing by the utility under chapter 82.16 RCW."

Renumber the remaining subsections consecutively.

On page 7, after line 19 insert:

"(3) If a customer is unable to meet the conditions of a payment plan to which a customer has agreed, the customer may apply to the department of social and health services for assistance to prevent termination of residential space heating service. If the department approves such request, the amount of such assistance shall be the amount, after taking into account any other assistance, necessary to bring current the customer's account with the utility plus an amount reasonably estimated by the department to be sufficient to pay for service until the end of the November 15 - March 15 period. The department shall certify the total amount to the utility and the utility shall credit that amount to the customer's account. The utility shall not thereafter terminate service for failure to make payments until the balance of the account becomes delinquent. The utility shall deduct the total amount certified by the department from the amount of tax owing by the utility under chapter 82.16 RCW."

Renumber the remaining subsections consecutively.

On page 11, after line 2 insert:

"(5) If a customer is unable to meet the conditions of a payment to which a customer has agreed, the customer may apply to the department of social and health services for assistance to prevent termination of residential space heating service. If the department approves such request, the amount of such assistance shall be the amount, after taking into account any other assistance, necessary to bring current the customer's account with the utility plus an amount reasonably estimated by the department to be sufficient to pay for service until the end of the November 15 - March 15 period. The department shall certify the total amount to the utility and the utility shall credit that amount to the customer's account. The utility shall not thereafter terminate service for failure to make payments until the balance of the account becomes delinquent. The utility shall deduct the total amount certified by the department from the amount of tax owing by the utility under chapter 82.16 RCW."

Renumber the remaining subsections consecutively.

Mr. Isaacson spoke in favor of the amendments, and Mr. D. Nelson spoke against them.

The amendments were not adopted.

Mr. Isaacson moved adoption of the following amendment to the committee amendment:

On page 12, after line 22 insert:

"NEW SECTION. Sec. 9. There is added to chapter 82.16 RCW a new section to read as follows:

There shall be deducted from the tax computed under this chapter the total amount certified by the department of social and health services to a utility and subsequently credited by a utility to a low income customer under programs in chapters 35.21, 54.16 and 80.28 RCW."

Mr. Isaacson spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

Mr. Isaacson spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Isaacson to the committee amendment to Engrossed Substitute Senate Bill No. 4490.

and the amendment was not adopted by the following vote: Yeas, 38; nays, 58; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Egger, King R - 2.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Sutherland moved that the House now reconsider the vote by which the amendment by Representative D. Nelson to page 2 of the committee amendment was not adopted.

Representatives Sutherland, D. Nelson and Pruitt spoke in favor of the motion, and Representatives Isaacson, Vander Stoep and G. Nelson spoke against it.

Mr. Garrett demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the amendment by Representative D. Nelson to page 2 of the committee amendment to Engrossed Substitute Senate Bill No. 4490 failed to be adopted, and the motion carried by the following vote: Yeas, 50; nays, 46; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representatives Egger, King R - 2.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment to page 2 of the committee amendment.

Representatives Sutherland, Gallagher and D. Nelson spoke in favor of the amendment, and Representatives G. Nelson, Brough, Van Luven, Long, Isaacson and Dickie spoke against it.

Mr. Garrett demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative D. Nelson to page 2 of the committee amendment to Engrossed Substitute Senate Bill No. 4490, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 45.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King P, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 51.

Excused: Representatives Egger, King R - 2.

The Clerk read the following amendments by Representative Isaacson to the committee amendment:

- On page 4, line 2 strike "seven" and insert "fifteen"
- On page 6, line 22 strike "seven" and insert "fifteen"
- On page 9, line 31 strike "seven" and insert "fifteen"

With the consent of the House, Mr. Isaacson withdrew the amendments to the committee amendment.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment as amended to Engrossed Substitute Senate Bill No. 4490, and the amendment was adopted by the following vote: Yeas, 58; nays, 35; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Fiske, Fuhrman, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, King P. Lewis, Long, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C., Smith L., Smitherman, Sommers, Struthers, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, West, Williams B., Williams J., Wilson, Zellinsky - 58.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Kaiser, King J., Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D., Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Stratton, Sutherland, Tanner, Vekich, Wang, and Mr. Speaker - 35.

Absent: Representatives Charnley, Ebersole, Jacobsen - 3.

Excused: Representatives Egger, King R - 2.

On motion of Mr. D. Nelson, the committee amendment to the title was adopted.

The bill was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4302, by Committee on Social & Health Services (originally sponsored by Senators McManus and Moore)

Modifying the practice of pharmacy.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 46th Day, February 23, 1984.)

Mr. Kreidler moved adoption of the committee amendment.

Mr. Tilly moved adoption of the following amendments by Representatives Tilly and Mitchell to the committee amendment:

On page 15, line 17 after "registered" insert "or exempt from registration"

On page 15, after line 20 insert "shopkeepers with fifteen or fewer drugs shall be exempt from the registration requirements of this section and shall not be required to pay any fees required by this section, but shall be considered shopkeepers for any other purposes under chapter 18.64 RCW."

On page 15, line 27 after "shopkeeper" insert "through the master license system"

On page 16, line 4 strike "((master license))" and insert "master license"

On page 16, beginning on line 8 strike "((and the master license delinquency fee under chapter 19.02 RCW" and insert "and the master license delinquency fee under chapter 19.02 RCW (("

On page 16, after line 16 insert:

"(3) the registration fees determined by the board under subsection (2) of this section shall not exceed the cost of registering the shopkeeper."

Renumber the remaining subsections consecutively.

Representatives Tilly and Mitchell spoke in favor of the amendments to the committee amendment, and they were adopted.

The committee amendment as amended was adopted.

On motion of Mr. Kreidler, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Kreidler, there has been some question in regard to nurses and the practice of pharmacy. The question is: Is it your understanding that the definitions for 'dispense' and 'delivery' contained in RCW 43.02 are intended to address the issue of a nurse delivering to patients multiple doses of prepackaged medication, which have been prepared by a licensed pharmacist, and the promulgation of rules for such deliveries by the Board of Nursing and Pharmacy as agreed by the representatives of nursing, pharmacy and the Department of Social and Health Services at their January 14 meeting in 1984 at the Virginia Mason Hospital in Seattle?"

Mr. Kreidler: "Yes."

Mr. Mitchell spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate bill No. 4302 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Engrossed Substitute Senate bill No. 4302 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4275, by Senator Shinpoch

Changing provisions concerning the teachers' retirement.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. Grimm, the committee amendments were adopted.

The Clerk read the following amendments by Representatives Sanders, Sommers and Cantu:

On page 1, line 29 after "~~budget.~~" strike everything through "~~submitted~~" on page 2, line 3 and insert: ") The legislature shall make the necessary appropriation from the state general fund to the (~~teachers' retirement system~~) superintendent of public instruction after considering the estimates as prepared and submitted by the state actuary. ((

On page 2, line 20 after "The" strike "amounts" and insert "((~~amounts~~)) employer contributions"

With the consent of the Houses, Mr. Sanders withdrew the amendments.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Vander Stoep spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4275 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman,

Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Engrossed Senate Bill No. 4275 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.

SUBSTITUTE SENATE BILL NO. 4730, by Committee on Social & Health Services (originally sponsored by Senators Woody, Lee, Rinehart, Hayner, Wojahn, Hurley and Hemstad)

Requiring the extension of health insurance coverage in child support orders under certain circumstances.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 1, line 9 after "if" insert "all of the following conditions are met"

On motion of Mr. McMullen, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4730 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Egger, King R - 2.

Substitute Senate Bill No. 4730 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.

SUBSTITUTE SENATE BILL NO. 3504, by Committee on Local Government (originally sponsored by Senators Owen and Zimmerman)

Modifying provisions on land classified for current use assessment.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sayan spoke in favor of passage of the bill.

MOTIONS

On motion of Mr. Heck, the rules were suspended, and Substitute Senate Bill No. 3504 was returned to second reading for the purpose of amendment.

On motion of Mr. Heck, further consideration of Substitute Senate Bill No. 3504 was deferred, and the bill was placed on the second reading calendar following Substitute Senate Bill No. 4343.

Representative Egger appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 3059, by Senators Lee, Woody and McManus

Providing for pets in nursing homes and public housing for the elderly.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. Kreidler, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3059 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Engrossed Senate Bill No. 3059 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.

Representative Haugen was excused.

SUBSTITUTE SENATE BILL NO. 3178, by Committee on Local Government (originally sponsored by Senators Bauer, Zimmerman and Rinehart)

Authorizing the late payment of taxes.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal, 46th Day, February 23, 1984.)

Mr. Moon moved adoption of the committee amendment.

Mr. Schoon moved adoption of the following amendment to the committee amendment:

On page 2, line 16 following "date" insert ": PROVIDED FURTHER, That any senior citizen organization which has been incorporated as a nonprofit organization devoted to the care of senior citizens shall not be delinquent for failure to pay property taxes on the date they are due"

Mr. Schoon spoke in favor of the amendment to the amendment, and Representatives Moon and Sommers spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schoon to the committee amendment to Substitute Senate Bill No. 3178, and the amendment to the amendment was not adopted by the following vote: Yeas, 41; nays, 55; excused, 2.

Voting yea: Representatives Addison, Ballard, Barrett, Betzoff, Broback, Brough, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Garrett, Halsan, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Lux, Mitchell, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Wilson - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Bond, Braddock, Brekke, Burns, Cantu, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Hankins, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers,

Pruitt, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Haugen, King R - 2.

Mr. Addison moved adoption of the following amendment by Representatives Addison and Tilly to the committee amendment:

On page 2, line 16 following "date" insert ": PROVIDED FURTHER, That when a taxpayer pays the total tax liability on or before April thirtieth the taxes due shall be reduced by two percent"

Representatives Addison, Padden and Schoon spoke in favor of the amendment to the amendment, and Representatives Appelwick, Ebersole, Kaiser, McMullen and Prince spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Addison and Tilly to the committee amendment to Substitute Senate Bill No. 3178, and the amendment to the amendment was not adopted by the following vote: Yeas, 44; nays, 52; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, Johnson, King P, Lewis, Locke, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Kaiser, King J, Kreidler, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Haugen, King R - 2.

The committee amendment was adopted.

On motion of Mr. Moon, the committee amendment to the title was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Addison.

Mr. Addison: "Representative Moon, I know you had a lot of chances to take a look at the bill in committee. I was just wondering what the breakdown was between relatively large parcels of property and individual homes and maybe the values of some of those things as to who actually was delinquent in paying their taxes?"

Mr. Moon: "I don't know the answer to that, Representative Addison."

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3178 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Haugen, King R - 2.

Substitute Senate Bill No. 3178 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.

SUBSTITUTE SENATE BILL NO. 4362, by Committee on Judiciary (originally sponsored by Senators Hemstad, Talmadge, Fuller and Granlund)

Prescribing penalties for attempt to evade open alcohol container restrictions.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 46th Day, February 23, 1984.)

Mr. McMullen moved adoption of the committee amendment.

On motion of Mr. Appelwick, the following amendment to the committee amendment was adopted:

On page 2, line 19 after "employment" strike "and" and insert "transporting passengers"

Mr. Walk moved adoption of the following amendment by Representatives Walk, Moon, Hine, Van Dyken and Grimm to the committee amendment:

On page 2, after line 25 insert a new section to read as follows:

"NEW SECTION, Sec. 2. There is added to chapter 46.61 RCW a new section to read as follows:

Nothing in RCW 46.61.519 or section 2 of this 1984 act prohibits any city or town from enacting a local ordinance that proscribes the acts proscribed by those sections and that provides penalties equal to or greater than the penalties provided in those sections."

Renumber the remaining sections consecutively.

Representatives Walk and Armstrong spoke in favor of the amendment to the amendment, and Representatives Appelwick and Padden spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Walk and others to the committee amendment to Substitute Senate Bill No. 4362, and the amendment to the amendment was adopted by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Lewis, Locke, Long, Lux, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, O'Brien, Powers, Pruitt, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Appelwick, Ballard, Barnes, Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, McClure, Nealey, Nelson G, Niemi, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, West, Williams B, Williams J - 41.

Excused: Representatives Haugen, King R - 2.

The committee amendment as amended was adopted.

On motion of Mr. Walk, the following amendment to the title of the bill was adopted:

On page 1, line 3 of the title strike "a new section" and insert "new sections"

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4362 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien,

Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Haugen, King R - 2.

Substitute Senate Bill No. 4362 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.

SUBSTITUTE SENATE BILL NO. 4494, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Wojahn, McManus, Gaspard, Haley, Lee and Conner; by Lieutenant Governor request)

Establishing the Washington state advisory council on international trade development.

The bill was read the second time.

On motion of Mr. Tilly, the following amendments were adopted:

On page 3, after "new" strike "foreign" and insert "international"

On page 4, line 3 after "appropriate" strike "foreign" and insert "international"

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4494 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Haugen, King R - 2.

Substitute Senate Bill No. 4494 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4794, by Committee on State Government (originally sponsored by Senator Williams)

Establishing the centennial partnership project.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Ms. Niemi, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and Hankins spoke in favor of passage of the bill, and Mr. Kreidler spoke against it.

POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Niemi, I see that this new body is supposed to carry out a study. Why does the bill say the study can be conducted in cooperation

with only other nonprofit corporations? Why not, if there are such things, profit corporations that would be involved in a like manner?"

Ms. Niemi: "I don't think it's appropriate for the state to go into private corporations. There are going to be matching funds involved in this study and profit corporations can set up their own destination-tourism exhibit without the advantages of this bill."

Mr. Hastings spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4794 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 20; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barnes, Barrett, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Rust, Sanders, Sayan, Schmidt, Silver, Smith C, Smith L, Smitherman, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Addison, Allen, Belcher, Betzoff, Brough, Dellwo, Dickie, Fisher, Fuhrman, Hastings, Kreidler, Moon, Padden, Pruitt, Schoon, Scott, Sommers, Stratton, Wang, Williams B - 20.

Excused: Representatives Haugen, King R - 2.

Engrossed Substitute Senate Bill No. 4794 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.

SUBSTITUTE SENATE BILL NO. 3740, by Committee on Transportation (originally sponsored by Senators Vognild, Rasmussen and Peterson)

Defining liability for hazardous materials incidents.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. Sutherland, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3740 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Broback, West - 2.

Excused: Representatives Haugen, King R - 2.

Substitute Senate Bill No. 3740 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.

SUBSTITUTE SENATE BILL NO. 4343, by Committee on Transportation (originally sponsored by Senators Peterson, Hansen and Patterson; by Department of Transportation request)

Revising restrictions on state highway work by state forces.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Sutherland, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4343 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 6; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Bond, Clayton, Fuhrman, Sanders, Schmidt, Wilson - 6.

Excused: Representatives Haugen, King R - 2.

Substitute Senate Bill No. 4343 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.

SUBSTITUTE SENATE BILL NO. 3504, by Committee on Local Government (originally sponsored by Senators Owen and Zimmerman)

Modifying provisions on land classified for current use assessment.

The House resumed consideration of the bill on second reading.

Mr. Moon moved adoption of the following amendment by Representatives Moon and Sommers:

On page 1, line 6 beginning with "Section 5" strike all language down to and including "Sec. 2." on page 2, line 22

Representatives Moon, Van Dyken and Hine spoke in favor of the amendment, and Representatives Vander Stoep, Sayan, G. Nelson and Tilly spoke against it.

Mr. Moon spoke again in favor of the amendment, and Mr. Sayan again opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Moon and Sommers to Substitute Senate Bill No. 3504, and the amendment was not adopted by the following vote: Yeas, 46; nays, 50; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Walk, Wang, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Grimm, Halsan, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, Vekich, West, Williams B, Williams J, Wilson, Zellinsky - 50.

Excused: Representatives Haugen, King R - 2.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sayan spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. Moon.

Mr. Moon: "Representative Sayan, the second section deals with the transfer of classification between agricultural land and timber land and transfers from timber land into agricultural land. Will such a transfer between classifications be granted without a review of the county or the county/city legislative authority?"

Mr. Sayan: "It is my understanding that the normal processes will take place, but that there will not be a penalty of back taxes of such in the cases of this kind."

Mr. Moon spoke against the bill, and Mr. Cantu spoke in favor of it.

Mr. Sayan spoke again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3504, and the bill passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Fisher, Lux, Moon, Nelson D, Wang - 5.

Excused: Representatives Haugen, King R - 2.

Substitute Senate Bill No. 3504, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4484, by Committee on State Government (originally sponsored by Senators Fleming, Talmadge, McDermott, Bottiger, Hughes, Bender and McManus)

Creating the athletic health care and training council.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. For committee amendments, see Journal, 46th Day, February 23, 1984.)

Ms. Niemi moved adoption of the committee amendment.

Mr. Struthers moved adoption of the following amendment to the committee amendment:

On page 9, line 4 strike "fifty" and insert "thirty-nine"

Representative Struthers and G. Nelson spoke in favor of the amendment to the committee amendment, and Representative Niemi spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to the committee amendment to Engrossed Substitute Senate Bill No. 4484, and the amendment to the amendment was not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Galloway, Hastings, Holland, Johnson, King P, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J - 45.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm,

Halsan, Hankins, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Haugen, King R - 2.

On motion of Ms. Niemi, the following amendment to the committee amendment was adopted:

On page 9, line 4 after "the sum of" strike "fifty" and insert "forty-nine"

The committee amendment as amended was adopted.

On motion of Ms. Niemi the committee amendment to the title was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and Barnes spoke in favor of passage of the bill, and Representatives Padden, Struthers, Schoon, Hastings, G. Nelson and Galloway spoke against it.

Ms. Niemi spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4484 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 43; nays, 53; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Braddock, Burns, Chamley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Jacobsen, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 43.

Voting nay: Representatives Allen, Ballard, Barrett, Belcher, Betzoff, Bond, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Galloway, Hastings, Holland, Isaacson, Johnson, Kaiser, King P, Lewis, Long, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Rust, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 53.

Excused: Representatives Haugen, King R - 2.

Engrossed Substitute Senate Bill No. 4484 as amended by the House, having failed to received the constitutional majority, was declared lost.

SENATE BILL NO. 4619, by Senators Thompson, Zimmerman and Granlund

Modifying procedures for filling vacancies in the office of fire commissioner.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Moon, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Moon yielded to question by Ms. Miller.

Ms. Miller: "Representative Moon, under the section on formal sealed bidding process, (2) states that '...materials, supplies, or equipment if the cost will not exceed the sum of ten thousand dollars.' Can you describe for me what kind of testimony was given about what kind of material and supplies we are talking about?"

Mr. Moon: "I would suspect that would include firefighting equipment; the helmets, the personal fire gear, the wear, pencils, papers, this type of thing."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4619 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Miller, Sanders, Williams J - 3.

Excused: Representatives Haugen, King R - 2.

Senate Bill No. 4619 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE SENATE BILL NO. 3815, by Committee on Ways & Means (originally sponsored by Senators Granlund, Deccio, McManus, Owen and McDermott)

Establishing financial responsibility for persons in city and county jails.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

Ms. Sommers moved adoption of the committee amendments.

Representatives Sommers and Grimm spoke in favor of the amendments, and Mr. Struthers spoke against them.

Mr. Grimm spoke again in favor of the committee amendments.

The committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 3815 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Haugen, King R - 2.

Second Substitute Senate Bill No. 3815 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

Mr. G. Nelson moved that the House immediately reconsider the vote by which ENGROSSED SUBSTITUTE SENATE BILL NO. 4484 as amended by the House failed to pass the House.

Mr. Heck demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Haugen, R. King and Patrick.

On motion of Mr. Heck, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the motion by Representative G. Nelson.

The motion was carried.

On motion of Mr. Heck, further consideration of Engrossed Substitute Senate bill No. 4484 was deferred until the next working day.

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, with reference to the motion to defer the reconsideration of ESSB 4484 and place it on tomorrow's third reading calendar, would you inform the body as to the citation that permits it to be deferred in lieu of being acted on during this business day?"

The Speaker: "The action that this body took, Representative Nelson, was to move to reconsider today, which we did. Once that action was taken, then the bill was alive and was before us. At that point, we then made the motion to hold the bill over to the next working day, which then would be in order."

SUBSTITUTE SENATE BILL NO. 4110, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Sellar, Rasmussen and Wojahn; by Attorney General request)

Modifying various provisions regarding cemeteries.

The bill was read the second time.

On motion of Mr. Fiske the following amendments were adopted:

On page 5, after line 6 insert:

"NEW SECTION, Sec. 7. There is added to chapter 68.08 RCW a new section to read as follows:

The human remains of an individual may be buried on the property of the individual or the individual's immediate family or estate if such property is an island in the sole ownership of the individual, or the individual's immediate family or estate, without obtaining a permit or a variance from any zoning ordinance if in compliance with other applicable state laws."

Renumber the remaining section consecutively.

On page 5, after line 36 insert:

"NEW SECTION, Sec. 9. Section 7 of 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 10 of the title after "68.46.210;" insert "adding a new section to chapter 68.08 RCW;" and on page 1, line 10 after "RCW;" insert "declaring an emergency;"

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4110 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzloff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van

Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Haugen, King R, Patrick - 3.

Substitute Senate Bill No. 4110 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.

SENATE BILL NO. 4352, by Senators McDermott, Zimmerman, Gaspard, Granlund and Shipoch; by Legislative Budget Committee request

Requiring the prosecutor's statement on a convicted criminal to be available upon incarceration.

The bill was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4352, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Haugen, King R, Patrick - 3.

Senate Bill No. 4352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4500, by Senators Gaspard, Newhouse, Wojahn, Warnke and Fuller

Providing for tax deferred annuities for school employees.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. J. King, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4500 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 14; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Addison, Belcher, Brekke, Dickie, Garrett, Lux, Monohon, Nelson D, Pruitt, Schmidt, Smith C, Sommers, Stratton, Tanner - 14.

Excused: Representatives Haugen, King R, Patrick - 3.

Engrossed Senate Bill No. 4500 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

On motion of Mr. Heck, the House adjourned until 12:30 p.m., Sunday, February 26, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FORTY-NINTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, February 26, 1984

The House was called to order at 12:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative R. King, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dena McCormick and Tony Wisdom. Prayer was offered by Deacon Larry Sullivan of St. Peter's Church in Tenino.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 25, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 571,
HOUSE BILL NO. 596,
HOUSE BILL NO. 1119,
SUBSTITUTE HOUSE BILL NO. 1153,
HOUSE BILL NO. 1328,
SUBSTITUTE HOUSE BILL NO. 1400,
HOUSE BILL NO. 1409,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 25, 1984

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1162,
HOUSE BILL NO. 1395,
HOUSE BILL NO. 1517,
SUBSTITUTE HOUSE BILL NO. 1539,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1666,
HOUSE JOINT MEMORIAL NO. 34,
SUBSTITUTE SENATE BILL NO. 4416,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1162,
SUBSTITUTE HOUSE BILL NO. 1227,
SUBSTITUTE HOUSE BILL NO. 1266,
HOUSE BILL NO. 1295,
HOUSE BILL NO. 1395,
HOUSE BILL NO. 1517,
SUBSTITUTE HOUSE BILL NO. 1539,
SUBSTITUTE HOUSE BILL NO. 1666,
HOUSE JOINT MEMORIAL NO. 34.

INTRODUCTIONS AND FIRST READING

HCR 45 by Representatives Charnley, Isaacson, Fisch, Moon, Ballard, McClure, Van Dyken and Pruitt

Creating a joint ad hoc committee to consider the adjustment of county boundaries.

Referred to Committee on Rules

SSB 4416 by Committee on Commerce & Labor (originally sponsored by Senators Newhouse, Vognild, Quigg, McManus, Moore and McDonald; by Department of Employment Security request)

Modifying provisions relating to unemployment insurance.

Referred to Committee on Labor

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3901 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators McManus and Vognild)

Regulating agreements between suppliers and wholesale distributors of malt beverages and wine.

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

Representatives J. King and Ballard spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Barrett.

Mr. Barrett: "Representative King, is ESSB 3901 intended to approve, permit or authorize in any fashion the practice of some brewers which contractually establish exclusive sales territories for wholesalers and prohibit each wholesaler from selling outside of its assigned territory?"

Mr. J. King: "No. The bill is intended to be neutral with regard to that practice. Exclusive territories raise issues of antitrust law and the bill is not intended to address those issues in any fashion."

Representatives Barrett and Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3901 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 13; absent, 5; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Brekke, Broback, Brough, Chandler, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J. Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, O'Brien, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Addison, Belcher, Braddock, Burns, Charnley, Dellwo, Garrett, Jacobsen, Lux, Nelson D, Niemi, Padden, Rust - 13.

Absent: Representatives Bond, Cantu, Clayton, King P, Smith C - 5.

Excused: Representative King R - 1.

Engrossed Substitute Senate Bill No. 3901 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.

STATEMENT FOR THE JOURNAL

Please change my vote on ESSB 3901 to "No."

GARY LOCKE, 37th District.

MOTION

On motion of Mr. Heck, the house reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 4798, by Senators Granlund and McManus

Extending prison overcrowding reform act.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

Mr. Kreidler moved adoption of the committee amendment.

Mr. Kreidler moved adoption of the following amendment to the committee amendment:

On page 6, after line 17 insert the following:

"NEW SECTION. Sec. 9. There is added to chapter 72.09 RCW a new section to read as follows:

(1) In recognition of the hazardous nature of employment in state correctional institutions, the legislature hereby provides a supplementary program to reimburse employees of the department of corrections for some of their costs attributable to their being the victims of inmate assaults. This program shall be limited to the reimbursement provided in this section.

(2) An employee is only entitled to receive the reimbursement provided in this section if the secretary of corrections, or the secretary's designee, finds that each of the following has occurred:

(a) An inmate has assaulted the employee and as a result thereof the employee has sustained injuries which have required the employee to miss days of work; and

(b) The assault cannot be attributable to any extent to the employee's negligence, misconduct, or failure to comply with any rules or conditions of employment.

(3) The reimbursement authorized under this section shall be as follows:

(a) The employee's accumulated sick leave days shall not be reduced for the workdays missed;

(b) For each workday missed for which the employee is not eligible to receive compensation under chapter 51.32 RCW, the employee shall receive full pay; and

(c) In respect to workdays missed for which the employee will receive or has received compensation under chapter 51.32 RCW, the employee shall be reimbursed in an amount which, when added to that compensation, will result in the employee receiving full pay for the workdays missed.

(4) Reimbursement under this section may not last longer than three hundred sixty-five consecutive days after the date of the injury.

(5) The employee shall not be entitled to the reimbursement provided in subsection (3) of this section for any workday for which the secretary, or the secretary's designee, finds that the employee has not diligently pursued his or her compensation remedies under chapter 51.32 RCW.

(6) The reimbursement shall only be made for absences which the secretary, or the secretary's designee, believes are justified.

(7) While the employee is receiving reimbursement under this section, he or she shall continue to be classified as a state employee and the reimbursement amount shall be considered as salary or wages.

(8) All reimbursement payments required to be made to employees under this section shall be made by the department of corrections. The payments shall be considered as a salary or wage expense and shall be paid by the department in the same manner and from the same appropriations as other salary and wage expenses of the department.

(9) Should the legislature revoke the reimbursement authorized under this section or repeal this section, no affected employee is entitled thereafter to receive the reimbursement as a matter of contractual right."

Renumber the remaining sections consecutively.

Representatives Kreidler and Padden spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Tanner moved adoption of the following amendment to the committee amendment:

On page 1, after line 6 strike lines 7 through 12 and insert:

"Sec. 1. Section 16, chapter 137, Laws of 1981 as amended by section 4, chapter 163, Laws of 1983 and RCW 9.94A.160 are each amended to read as follows:

If the governor finds that an emergency exists in that the population of a state residential correctional facility exceeds its reasonable, maximum capacity, then the governor may do any one or more of the following:

(1) Call the sentencing guidelines commission into an emergency meeting for the purpose of evaluating the standard ranges and other standards. The commission may adopt any revision or amendment to the standard ranges or other standards that it believes appropriate to deal with the emergency situation. The revision or amendment shall be adopted in conformity with chapter 34.04 RCW and shall take effect on the date prescribed by the commission. The legislature shall approve or modify the commission's revision or amendment at the next legislative session after the revision or amendment takes effect. Failure of the legislature to act shall be deemed as approval of the revision or amendment;

(2) If the emergency occurs prior to July 1, 1988, call the board of prison terms and paroles into an emergency meeting for the purpose of evaluating its guidelines and procedures for release of prisoners in a way that it believes appropriate to deal with the emergency situation. Pursuant to this section, the board shall not reduce the terms of inmates serving mandatory minimum prison terms under RCW 9.95.040, an inmate confined for treason, an inmate confined for any violent offense as defined by RCW 9.94A.030, or an inmate who has been found to be a sexual psychopath under chapter 71.06 RCW. The board may take any action authorized by law to modify the terms of prisoners under its jurisdiction;

(3) Call the clemency and pardons board into an emergency meeting for the purpose of recommending whether the governor's commutation or pardon power should be exercised to meet the present emergency."

Representatives Tanner and Kreidler spoke in favor of the amendment to the committee amendment, and Representatives B. Williams, Padden and Lewis spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tanner to the committee amendment to Engrossed Senate Bill No. 4798, and the amendment was adopted by the following vote: Yeas, 51; nays, 44; absent, 2; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Belcher, Bond, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Rust, Sanders, Sayan, Scott, Smittherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Schmidt, Schoon, Silver, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luvan, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Absent: Representatives Clayton, Smith C - 2.

Excused: Representative King R - 1.

MOTION FOR RECONSIDERATION

Mr. Bond moved that the House now reconsider the vote by which the amendment by Representative Tanner to the committee amendment to Engrossed Senate Bill No. 4798 was adopted.

Mr. Bond spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Tanner amendment to the committee amendment was adopted, and the motion failed by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luvan, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott,

Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Clayton, Smith C - 2.

Excused: Representative King R - 1.

Mr. Sayan moved adoption of the following amendment by Representatives Sayan, Braddock, Niemi and Wang to the committee amendment:

On page 13, line 19 after "RCW 72.13.091" strike "are each repealed." and insert "are each amended to read as follows:

Effective (~~July 1, 1985~~) July 1, 1989, each prisoner in the correctional institution shall be provided with a single cell: PROVIDED, HOWEVER, That multiple type living arrangements may be provided in forestry or other labor camps maintained in conjunction with the institution."

Mr. Sayan spoke in favor of the amendment to the amendment, and Mr. Struthers spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sayan and others to the committee amendment to Engrossed Senate Bill No. 4798, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 44.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Locke, Long, Lux, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 51.

Absent: Representatives Clayton, Smith C - 2.

Excused: Representative King R - 1.

The Speaker stated the question before the House to be the adoption of the committee amendment as amended.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment as amended to Engrossed Senate Bill No. 4798, and the amendment was adopted by the following vote: Yeas, 51; nays, 44; absent, 2; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Absent: Representatives Clayton, Smith C - 2.

Excused: Representative King R - 1.

Mr. Kreidler moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Kreidler, the following amendment to the title amendment was adopted:

On page 8, line 22 strike "a new section" and insert "new sections"

On motion of Mr. Tanner the following amendment to the title amendment was adopted:

On page 8, line 20 strike "amending section 6, chapter 228, Laws of 1982 (uncodified)" and insert "amending section 16, chapter 137, Laws of 1981, section 4, chapter 163, Laws of 1983 and RCW 9.94A.160"

The committee amendment to the title as amended was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler, B. Williams, Tanner, Padden and Struthers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4798 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickle, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Ebersole - 1.

Excused: Representative King R - 1.

Engrossed Senate Bill No. 4798 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.

SUBSTITUTE SENATE BILL NO. 4321, by Committee on State Government (originally sponsored by Senator Warnke)

Revising the laws governing the state library.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Ms. Niemi, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4321 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4321 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.

SENATE BILL NO. 4491, by Senators Bottiger, Hemstad and Talmadge

Modifying provisions relating to the appointment and compensation of home-
stead appraisers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4491, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Senate Bill No. 4491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4448, by Committee on Social & Health Services (originally sponsored by Senators McManus and Deccio)

Authorizing certain minor health care services.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. Dellwo, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4448 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Engrossed Substitute Senate Bill No. 4448 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.

SENATE BILL NO. 4527, by Senators Peterson, Patterson, Sellar and Bottiger

Directing law enforcement officers to put reflectorized warning devices on disabled cars.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4527, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Senate Bill No. 4527, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4814, by Committee on Institutions (originally sponsored by Senator Granlund)

Modifying provisions on children and family services.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. Dellwo, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4814 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4814 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.

SUBSTITUTE SENATE BILL NO. 4708 AS AMENDED BY THE HOUSE, by Committee on Social & Health Services (originally sponsored by Senators McManus and Deccio; by Department of Social and Health Services request)

Modifying methods of determining costs of operating state institutions.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 22, 1984.)

On motion of Mr. Dellwo, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4708 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4708 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4592, by Senator Williams

Permitting replacement of inactive members of the state centennial commission and establishing financial procedures for the commission.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4592, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander-Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Engrossed Senate Bill No. 4592, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4435, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Gaspard)

Enacting provisions relating to racketeering.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

Mr. McMullen moved adoption of the committee amendment.

Mr. Locke moved adoption of the following amendments to the committee amendment:

On page 34 of the amendment, after line 10, insert the following:

*NEW SECTION. Sec. 17. (1) A custodian of the records of a financial institution shall, at no expense to the financial institution, produce for inspection or copying the records in the custody of the financial institution when requested to be inspected by the attorney general or a county prosecuting attorney, provided the person requesting the information has served a subpoena issued by a court or obtained a court order for the information. The attorney general or a county prosecuting attorney or any peace officer or other person designated by the county

prosecuting attorney or the attorney general shall be prohibited from using or releasing the information except in the proper discharge of official duties. If directed by the court in the subpoena or court order, neither the custodian nor any other employee of the institution shall disclose to the institution's customer the fact that the customer's records have been examined or copied. The furnishing of records in compliance with this section by a custodian of records is a bar to civil or criminal liability against the custodian or financial institution in any action brought alleging violation of the confidentiality of the records.

(2) Disclosure by the attorney general, county prosecuting attorney, or any peace officer designated by the attorney general or the county prosecuting attorney of information obtained under this section, except in the proper discharge of official duties, is a misdemeanor.

(3) Disclosure by the custodian or employee of the financial institution contrary to subsection (1) of this section is a misdemeanor.

(4) This section does not preclude the use of any other legally authorized means of obtaining the information."

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

On page 35 of the amendment, on line 28, after "through" strike "16" and insert "17"

On page 36 of the amendment, on line 4, after "on" strike "January" and insert "July"

Representatives Locke, Armstrong, Padden and West spoke in favor of the amendments to the committee amendment, and Representatives Halsan and P. King spoke against them.

Mr. P. King again opposed the amendments to the amendment.

The amendments to the committee amendment were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen, Padden and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4435 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voicing yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Engrossed Substitute Senate Bill No. 4435 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.

SUBSTITUTE SENATE BILL NO. 3287, by Committee on Ways & Means (originally sponsored by Senators Bauer, Hemstad and Granlund)

Establishing grace period for certain employees to reestablish pension benefits.

The bill was read the second time.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Cantu, Brekke, Rust, Braddock, B. Williams, J. King, Fiske and Tilly:

On page 4, line 37 insert:

"NEW SECTION, Sec. 4. There is added to chapter 41.32 RCW a new section to read as follows:

The increased cost to the retirement system resulting from section 1(2) of this 1984 act shall be divided equally between members and employers. The increased cost shall be determined by the state actuary and shall be calculated and assessed separately for that group of members whose contribution rates are provided in RCW 41.32.260 and 41.32.350 and that group of members whose contribution rate is provided in RCW 41.32.775.

NEW SECTION. Sec. 5. There is added to chapter 41.40 RCW a new section to read as follows:

The increased cost to the retirement system resulting from section 2(3) of this 1984 act shall be divided equally between members and employers. The increased cost shall be determined by the state actuary and shall be calculated and assessed separately for that group of members whose contribution rate is provided in RCW 41.40.330 and that group of members whose contribution rate is provided in RCW 41.40.650."

Renumber the remaining sections and adjust references accordingly.

Representatives Sommers, Cantu and Patrick spoke in favor of the amendment, and Mr. Kreidler spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers and others to Substitute Senate bill No. 3287, and the amendment was adopted by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Allen, Armstrong, Ballard, Barnes, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Holland, Isaacson, Kaiser, King J. Miller, Mitchell, Moon, Nealey, Nelson G. Padden, Patrick, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith L. Sommers, Stratton, Struthers, Tilly, Van Dyken, Van Luven, Williams B, Williams J, Wilson, Zellinsky - 51.

Voting nay: Representatives Addison, Appelwick, Barrett, Belcher, Burns, Dickie, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Johnson, King P. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Sayan, Smith C, Smitherman, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, West, and Mr. Speaker - 46.

Excused: Representative King R - 1.

POINT OF INFORMATION

Ms. Brough: "Mr. Speaker, in reviewing Substitute Senate Bill No. 3287, the question comes to mind, in keeping with the policy that we had established in the legislature for state rules and regulations last year, the language in this bill is not gender neutral. Apparently it is through the Code Reviser through the Ways & Means Committee and has not been adjusted. My point of inquiry, sir, is when in the process is the language going to be adjusted to be gender neutral?"

The Speaker: "Representative Brough, it will be up to the legislature to make that change."

On motion of Mr. B. Williams, the following amendment was adopted:

On page 5, after line 20 insert:

NEW SECTION. Sec. 5. There is appropriated for the fiscal year ending June 30, 1985, from the general fund to the department of retirement systems for transfer to the public employees' retirement fund, the sum of five hundred thousand dollars, or as much thereof as may be necessary, for the purposes of section 1 and 3 of this act.

NEW SECTION. Sec. 6. There is appropriated for the fiscal year ending June 30, 1985, from the general fund to the department of retirement systems for transfer to the teachers' retirement fund, the sum of seven hundred fifty thousand dollars, or as much thereof as may be necessary, for the purposes of section 2 of this act."

Renumber the sections consecutively and correct internal references accordingly.

On motion of Ms. Sommers, the following amendment to the title was adopted:

On page 1, line 5 after "41.40.150;" insert "adding a new section to chapter 41.32 RCW;"

On motion of Mr. B. Williams, the following amendment to the title was adopted:

On page 1, line 6 of the title after "making" strike "an appropriation" and insert "appropriations"

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill, and Mr. Cantu spoke against it.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Grimm, as I understood from your remarks, you mentioned that the person would have left the system or left employment and would then have returned. I thought I heard from the last remarks that a person who may have withdrawn from the system and then decided to rejoin the system could do so anyway or restore their benefits. I interpret that as meaning that even though they were not employed. I would like the interpretation as to whether or not the reemployment is an essential part of restoring the benefits under the provisions of this bill?"

Mr. Grimm: "If I understood your question correctly, it is: Do the persons need to be reemployed before they can repurchase that prior benefit? The answer is yes."

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3287 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 19; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Barrett, Belcher, Betzoff, Broback, Brough, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, Kreidler, Lewis, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Armstrong, Ballard, Bond, Braddock, Brekke, Cantu, Chandler, Hastings, Haugen, Holland, Locke, Moon, Nealey, Rust, Sanders, Schoon, Tilly, Van Luven, Williams J - 19.

Excused: Representative King R - 1.

Substitute Senate Bill No. 3287 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.

SUBSTITUTE SENATE BILL NO. 4489, by Committee on Judiciary (originally sponsored by Senators Bottiger, Clarke and Talmadge)

Requiring notification of the mortgagee and other lienholders in property tax foreclosures.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. McMullen, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4489 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4489 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.

SUBSTITUTE SENATE BILL NO. 4381, by Committee on Judiciary (originally sponsored by Senators Fleming and Sellar)

Revising various election laws.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

Mr. Pruitt moved adoption of the committee amendment.

Mr. West moved adoption of the following amendment to the committee amendment:

On page 2, line 34 after "chapter," insert "The person appointed to fill the vacancy must be from the same political party as the person whose office has been vacated and shall be one of three persons nominated for the appointment by the state committee, as defined in RCW 29.42-.020, of that party. The state committee shall submit its list of three nominees to the governor within thirty days of the date the vacancy occurs. If the state committee fails to submit its list of nominees to the governor within the prescribed period, the governor may appoint any person from the same political party as the person whose office has been vacated."

Representatives West, Pruitt and Barnes spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 13, after line 35 of the amendment, insert the following:

"Sec. 13. Section 1, chapter 10, Laws of 1970 ex. sess. as amended by section 5, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.150 are each amended to read as follows:

The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a single nonpartisan position shall appear on the general election ballot under the designation therefor (~~:-PROVIDED, That in elections for justices of the supreme court, judges of the court of appeals and judges of the superior court, and for state superintendent of public instruction, if any candidate in the primary receives a majority of all the votes cast for the position, only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter~~)).

Sec. 14. Section 2, chapter 10, Laws of 1970 ex. sess. as last amended by section 8, chapter 183, Laws of 1979 ex. sess. and RCW 29.21.180 are each amended to read as follows:

No primary shall be held (~~relating to the office of state superintendent of public instruction or, except for any 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, officers of other first class school districts~~) for any nonpartisan position except under RCW 28A.57.425 or except for county offices in counties where a charter adopted under Article XI, section 4 of the state Constitution provides otherwise if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for each position to be filled. In such event all candidates concerned shall be notified. Names of candidates that would have been printed upon the primary ballot, but for the provisions of this section, shall be printed upon the general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates."

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

Representatives Tilly, Locke and Miller spoke in favor of the amendment, and Representatives Armstrong and Pruitt spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The amendment to the committee amendment was adopted.

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobsen and Barnes to the committee amendment:

On page 14, at the beginning of line 11 strike ~~“(twenty) fifty”~~ and insert "twenty"

Representatives Jacobsen, Barnes and Hastings spoke in favor of the amendment to the amendment, and Representatives Vander Stoep, Taylor, Long, Miller and G. Nelson spoke against it.

Mr. Jacobsen spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Jacobsen and Barnes to the committee amendment to Substitute Senate Bill No. 4381, and the amendment was adopted by the following vote: Yeas, 49; nays, 48; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Barnes, Belcher, Bond, Braddock, Brekke, Broback, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Grimm, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, King J, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smith C, Smitherman, Sutherland, Todd, Vekich, Walk, Williams B, Williams J, Zellinsky, and Mr. Speaker - 49.

Voting nay: Representatives Addison, Allen, Ballard, Barrett, Betzoff, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Galloway, Garrett, Halsan, Haugen, Johnson, Kaiser, King P, Kreidler, Lewis, Locke, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith L, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Wang, West, Wilson - 48.

Excused: Representative King R - 1.

The committee amendment as amended was adopted.

Mr. Pruitt moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Tilly, the following amendment to the title amendment was adopted:

On page 22, line 29 of the amendment, after "29.21.060;" insert "amending section 1, chapter 10, Laws of 1970 ex. sess. as amended by section 5, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.150; amending section 2, chapter 10, Laws of 1970 ex. sess. as last amended by section 8, chapter 183, Laws of 1979 ex. sess. and RCW 29.21.180;"

The committee amendment to the title as amended was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4381 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4381 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Wang to preside.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4325 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, McCaslin and Vognild)

Modifying provisions relating to cigarette sales.

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

Representatives J. King, Taylor, Kaiser and Barnes spoke in favor of passage of the bill, and Representatives Vekich, Patrick, Struthers and Brough opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4325 as amended by the House, and the bill passed the House by the following vote: Yeas, 73; nays, 24; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Powers, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Barrett, Bond, Brough, Chandler, Charnley, Egger, Gallagher, Garrett, Grimm, Hastings, Locke, Long, Lux, Miller, O'Brien, Patrick, Prince, Pruitt, Smith C, Stratton, Struthers, Vekich, Walk, West - 24.

Excused: Representative King R - 1.

Engrossed Substitute Senate Bill No. 4325 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4490 AS AMENDED BY THE HOUSE, by Committee on Energy & Utilities (originally sponsored by Senators McDermott, Rasmussen, Woody, Talmadge, Hurley, Gaspard, Rinehart, Vognild, Peterson and Fleming)

Restricting utilities from terminating utility service for residential space heat.

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

Representative D. Nelson spoke in favor of passage of the bill, and Representatives Isaacson and Long spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4490 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Addison, Appelwick, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Galloway, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Haugen, Isaacson, Johnson, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Schmidt, Schoon, Silver, Smith C, Stratton, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 47.

Excused: Representative King R - 1.

Engrossed Substitute Senate Bill No. 4490 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 Mr. Heck, Engrossed Substitute Senate Bill No. 4325 and Engrossed Substitute Senate Bill No. 4490 were ordered immediately transmitted to the Senate.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4484 AS AMENDED BY THE HOUSE, by Committee on State Government (originally sponsored by Senators Fleming, Talmadge, McDermott, Bottiger, Hughes, Bender and McManus)

Creating the athletic health care and training council.

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

Mr. Smitherman spoke in favor of passage of the bill, and Mr. Dickie spoke against it.

MOTION

Mr. Barrett moved that the bill be rereferred to Committee on Education.

The Speaker resumed the Chair.

Mr. Barrett spoke in favor of the motion, and Ms. Niemi spoke against it.

ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Substitute Senate Bill No. 4484 as amended by the House to Committee on Education, and the motion was lost by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative King R - 1.

The Speaker stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 4484 as amended by the House.

Representatives Miller, Taylor, Betrozoff and Schoon spoke against passage of the bill, and Representatives Allen, Stratton and Niemi spoke in favor of it.

ROLL CALL

The Clerk called the roll on reconsideration of the final passage of Engrossed Substitute Senate Bill No. 4484 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Galloway, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Excused: Representative King R - 1.

Engrossed Substitute Senate Bill No. 4484 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 Mr. Heck, Engrossed Substitute Senate Bill No. 4403 was made a Special Order of Business for 4:59 p.m.

SUBSTITUTE SENATE BILL NO. 3827 AS AMENDED BY THE HOUSE, by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Benitz, Goltz and Deccio)

Requiring that one member of Washington's delegation to the Pacific Northwest Electric Power and Conservation Planning Council be from eastern Washington.

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

Representatives D. Nelson, C. Smith and Nealey spoke in favor of passage of the bill, and Representatives Sommers, Long and Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3827 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 32; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Bond, Braddock, Burns, Chandler, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Johnson, Kaiser, King J, King P, Lewis, Lux, McClure, McMullen, Mitchell, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Powers, Prince, Pruitt, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Luven, Vander Stoep, Walk, West, Wilson, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Addison, Barnes, Belcher, Betzoff, Brekke, Broback, Brough, Cantu, Charnley, Dickie, Fiske, Haugen, Hine, Holland, Isaacson, Jacobsen, Kreidler, Locke, Long, Miller, Monohon, Niemi, Patrick, Rust, Schoon, Sommers, Todd, Van Dyken, Vekich, Wang, Williams B, Williams J - 32.

Excused: Representative King R - 1.

Substitute Senate Bill No. 3827 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4579, by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Hemstad; by Military Department request)

Limiting tort liability of state militia for acts done on federal duty.

The bill was read the second time, Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Mr. McMullen, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4579 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien,

Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King R - 1.

Substitute Senate Bill No. 4579 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SPECIAL ORDER OF BUSINESS

The hour of 4:59 p.m. having arrived, the Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed Substitute Senate Bill No. 4403 on second reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4403, by Committee on Ways & Means (originally sponsored by Senators McDermott, Zimmerman, Talmadge, Paterson, Fleming, Hughes and Peterson)

Revising provisions relating to health care costs.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 8, 1984.)

Committee on Ways & Means recommendation: Majority, do pass with amendments by Committee on Social & Health Services and as further amended by Committee on Ways & Means. (For amendments see Journal, 46th Day, February 23, 1984.)

Mr. Kreidler moved adoption of the amendments by Committee on Social & Health Services.

On motion of Mr. Kreidler, the amendments by Committee on Ways & Means to the Social & Health Services Committee amendments were adopted.

Mr. McClure moved adoption of the following amendments by Representatives McClure, Fiske, Ballard, Lewis and Mitchell to the committee amendments:

On page 2, starting with line 33 after "unemployment" strike all language down to and including "state" on line 37

On page 3, line 30 after "systems" strike all language to the period on line 10, page 4.

On page 6, line 4 after "Commission" strike all language to the period on line 11.

On page 21, line 3 after "hospital" strike everything to the period on line 8.

On page 21, lines 12 and 26 strike "Sections 15 and 16" and insert "Section 15"

On page 22, line 19 strike all language through the period on line 13, page 23.

On page 27, line 30 strike subsection (2) and renumber the remaining subsection.

On page 28, line 6 after "responsibility" strike all language down to the period on line 15.

On page 28, line 16 strike all of section 16 and renumber the remaining sections consecutively.

Representatives McClure, Lewis, Fiske, Nealey and Broback spoke in favor of the amendments to the amendment, and Representatives Kreidler, J. King, B. Williams, Appelwick and Lux spoke against them.

POINT OF INQUIRY

Mr. McClure yielded to question by Mr. Tanner.

Mr. Tanner: "Representative McClure, despite the support for this bill that has been pointed out by the gentleman from District 19, which appears to be rather broad, I continue to hear trained people say that this particular proposal is flawed and does need work. I would like to ask you whether or not the methods set out in this bill to handle the charity care problem are or are not the logical solution to this problem?"

Mr. McClure: "Representative Tanner, I can only tell you what I have heard in testimony and from my investigation. I have not been assured by anyone in the industry that there is a means which can prevent cost shifting. It's interesting that in all the testimony that we have heard, no one calls it a good solution. The best description I heard was from a labor leader who called it the 'least bad approach.' A memo from--"

The Speaker (Mr. O'Brien presiding): "Representative McClure you have already used your three minutes."

Representatives Taylor, Stratton and Ballard spoke in favor of passage of the bill.

Mr. Garrett demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative McClure and others to the committee amendment to Engrossed Substitute Senate Bill No. 4403, and the amendments were adopted by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Ellis, Fisch, Fiske, Fuhrman, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, King P, Lewis, Long, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson, Zellinsky - 60.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Fisher, Gallagher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, King J, Kreidler, Locke, Lux, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Schoon, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 37.

Excused: Representative King R - 1.

Mr. Padden moved adoption of the following amendments to the committee amendment:

On page 6, line 30 strike "nine" and insert "seven"

On page 7, beginning on line 12 after "(a)" strike all language to the semi colon on line 15 and insert "Two members representing consumers of health care services"

Representatives Padden and Tilly spoke in favor of the amendments, and Representatives Lewis and Kreidler spoke against them.

Mr. Padden spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Padden to the committee amendment to Engrossed Substitute Senate Bill No. 4403, and the amendments were not adopted by the following vote: Yeas, 37; nays, 60; excused, 1.

Voting yea: Representatives Addison, Ballard, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Stratton, Tilly, Van Dyken, Van Luven, Vander Stoep, Walk, West, Williams J, Wilson - 37.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Todd, Vekich, Wang, Williams B, Zellinsky, and Mr. Speaker - 60.

Excused: Representative King R - 1.

Mr. Padden moved adoption of the following amendment to the committee amendment:

On page 7, line 38 after "services" insert ", who shall be a nonvoting ex officio member"

Representatives Padden, Taylor and Lewis spoke in favor of the amendment to the amendment, and Mr. Kreidler spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to page 7 of the committee amendment to Engrossed Substitute Senate Bill No. 4403, and the amendment was not adopted by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Williams B, Zellinsky, and Mr. Speaker - 50.

Excused: Representative King R - 1.

Mr. Fiske moved adoption of the following amendments to the committee amendment:

On page 25, line 15 after "system," insert a new paragraph to read as follows:

"The commission shall assure that any hospital reimbursement control system will not result in any change in hospital admission practices which result in

(1) a significant reduction in the proportion of patients (receiving hospital services covered under the system) who have no third-party coverage and who are unable to pay for hospital services,

(2) a significant reduction in the proportion of individuals admitted to hospitals for inpatient hospital services for which payment is (or is likely to be) less than the anticipated charges for or costs of such services,

(3) the refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness or the care available at the hospital, or

(4) the refusal to provide emergency services to any person who is in need of emergency services if the hospital provides such services."

On page 23, line 31 after "and," strike "if necessary for federal medicare participation in a hospital reimbursement control system, hospitals shall" and insert "Hospitals may be required by the commission to"

On page 24, line 31 strike "includes" and insert "may include"

Representatives Fiske and Kreidler spoke in favor of the amendments, and they were adopted.

On motion of Mr. Fiske, the following amendment to the committee amendment was adopted:

On page 24, line 36 strike "all"

The Clerk read the following amendments by Representative Fiske to the committee amendment:

On page 32, line 25 strike "January" and insert "June"

On page 33, line 20 strike "September 30, 1984" and insert "June 30, 1985"

With the consent of the House, Mr. Fiske withdrew the amendments.

On motion of Mr. Tilly, the following amendment by Representatives Tilly and Kreidler to the committee amendment was adopted:

On page 31, strike lines 26 through 34 and insert: "health care systems. The select committee shall be composed of twelve members of the legislature, six appointed by the speaker of the house of representatives and six appointed by the president of the senate, three from each of the two largest political caucuses in each house, upon recommendation of the majority and minority caucuses of their respective bodies."

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Lewis to the committee amendment:

On page 50, after line 28 of the amendment, insert the following:

"NEW SECTION. Sec. 26. It is the intent of the legislature to ensure that the citizens of this state receive quality health care services in the most efficient and cost-effective manner. The legislature reaffirms its commitment to the state policy of containing the spiraling costs of health care, which continue to rise at rates about three times the consumer price index. In furtherance of this intent, it is declared to be in the public interest that price competition and economic

incentives in the health care delivery system should be encouraged in order to promote and strengthen a more efficient and economic delivery of quality health care.

The legislature finds that such competition may be fostered by recognizing the potentials and authorizing the establishment of 'preferred provider organizations,' to enter into preferred provider arrangements between insurers, health care service contractors, health maintenance organizations, or other purchasers, and health care providers, which contractual arrangements provide for health benefits at alternative rates or under alternative methods of payment that enure to the benefit of the persons who select such providers. The prospects for avoiding costs without sacrifice to quality care may be achieved internally with appropriate utilization review procedures and sound management controls consistent with requirements for solvency. The promise of more far-reaching cost avoidance in the health sector can yet be realized with the inculcation of economic incentives in the market place between competing preferred provider arrangements and other methods of providing or paying for health care costs.

NEW SECTION, Sec. 27. For the purposes of this chapter:

(1) 'Provider' means any person or entity lawfully licensed or authorized to render any health care service in this state.

(2) 'Preferred provider' means any provider who or which has contracted in writing with an authorized insurer or registered health care service contractor to provide health care services at alternative rates or under alternative methods of payment.

(3) 'Preferred provider arrangement' means a contractual agreement between an authorized insurer or registered health care service contractor, registered health maintenance organization, or other entity purchasing coverage, and preferred providers in order to provide health care services at alternative rates or under alternative methods of payment to such preferred providers for insureds or subscribers who select such preferred providers.

(4) 'Preferred provider organization' means an entity formed to enter into preferred provider arrangements and registered as a preferred provider organization under chapter 48.44 RCW. A preferred provider organization may be formed by one or more persons, organizations, health care providers, insurers, health care service contractors, and health maintenance organizations, including purchasers.

NEW SECTION, Sec. 28. (1) A person, organization, or entity, including health care providers, insurers, or health care service contractors, may enter into preferred provider arrangements. Such preferred provider arrangements may limit payments under a policy or contract to alternative rates or methods of payment regardless of the preferred provider chosen by insureds or subscribers, and may offer the benefit of such alternative rates or methods of payment to such persons who select such providers. A preferred provider organization shall register with the insurance commissioner in the same manner as for a health care service contractor pursuant to chapter 48.44 RCW.

(2) A health maintenance organization may offer a preferred provider arrangement by registering as a health care service contractor in accordance with this chapter. Nothing in this act may be construed as limiting the authority of a health maintenance organization registered under chapter 48.46 RCW from negotiating and entering into arrangements with institutions, entities, and persons, including contracts providing for alternative rates or methods of payment, to provide health services to its enrolled population.

(3) Nothing in this chapter affects the provisions of chapter 48.44 RCW applicable to a health care service contractor or the provisions of chapter 48.46 RCW applicable to a health maintenance organization. All preferred provider arrangements offered in this state pursuant to the provisions of this chapter shall be subject to the provisions of chapter 48.44 RCW.

(4) When the preferred provider organization is sponsored by an insurer, a health care service contractor, or a health maintenance organization, the financial and security requirements applicable to those particular types of organizations are deemed sufficient.

(5) A preferred provider organization may limit the number and types of preferred providers rendering health care services pursuant to rules adopted by the insurance commissioner to ensure an adequate number of providers to render health care services offered by the preferred provider organization. Nothing in a preferred provider arrangement may be construed to unreasonably limit the access of subscribers or insureds to any preferred provider within the preferred provider organization.

Preferred provider organizations shall establish terms and conditions which shall be met by providers in order to qualify for payment as preferred providers. The terms and conditions shall not discriminate unreasonably against or among such providers. Neither differences in prices among providers produced by a process of individual negotiations nor based on market conditions or price differences among providers shall be deemed unreasonable discrimination.

(6) Nothing in this section affects the statutory provisions for mandated offerings or benefits required under Title 48 RCW.

(7) No preferred provider arrangement may hold the preferred provider organization harmless for actions against a preferred provider if the cause of action is claimed to be associated with treatment or lack of treatment by the preferred provider on account of utilization review and management controls imposed on such provider.

(8) For the purposes of encouraging price competition in the health care sector, this chapter shall be liberally construed. However, nothing in this chapter may be construed to authorize any activity which would violate any provision of the unfair business practices act, chapter 19.86 RCW.

Sec. 29. Section 5, chapter 122, Laws of 1969 as amended by section 1, chapter 100, Laws of 1983 and RCW 18.100.050 are each amended to read as follows:

An individual or group of individuals duly licensed or otherwise legally authorized to render the same professional services within this state may organize and become a shareholder or shareholders of a professional corporation for pecuniary profit under the provisions of Title 23A RCW for the purpose of rendering professional service: PROVIDED, That one or more of such legally authorized individuals shall be the incorporators of such professional corporation: PROVIDED FURTHER, That notwithstanding any other provision of this chapter, registered architects and registered engineers may own stock in and render their individual professional services through one professional service corporation: ((AND)) PROVIDED FURTHER, That licensed health care professionals, providing services to enrolled participants either directly or through arrangements with a health maintenance organization registered under chapter 48.46 RCW or federally qualified health maintenance organization, may own stock in and render their individual professional services through one professional service corporation: AND PROVIDED FURTHER, That licensed health care professionals providing health care services to persons through contractual arrangements with preferred provider organizations as defined under chapter 48.--- RCW (sections 26 through 28 of this 1984 act) may own stock in and render their individual professional services through a professional service corporation.

Sec. 30. Section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140 are each amended to read as follows:

From and after a date not less than twelve months but not more than twenty-four months after the adoption of the uniform system of accounting and financial reporting required by RCW 70.39.100, as the commission may direct, the commission shall have the power to initiate such reviews or investigations as may be necessary to assure all purchasers of hospital health care services that the total costs of a hospital are reasonably related to the total services offered by that hospital, that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs; and that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference: PROVIDED, HOWEVER, That nothing in this section precludes an insurer, a preferred provider organization, a health care service contractor, a self-funded program, or a health maintenance organization from negotiating directly with hospitals with respect to payments for inpatient hospital services.

In order to properly discharge these obligations, the commission shall have full power to review projected annual revenues and approve the reasonableness of rates proposed to generate that revenue established or requested by any hospital subject to the provisions of this chapter. No hospital shall charge for services at rates ((other than)) exceeding those established in accordance with the procedures established hereunder, or charge rates which will increase rates otherwise charged to nonpreferred provider subscribers.

In the interest of promoting the most efficient and effective use of hospital health care service, the commission may promote and approve alternative methods of rate determination and payment of an experimental nature that may be in the public interest and consistent with the purposes of this chapter.

The commission shall serve as the state agency responsible for coordinating state actions and otherwise responding and relating to the efforts of the cost of living council, or its successor, in planning and implementing federal cost containment programs with respect to hospitals and related health care institutions as authorized by the Federal Economic Stabilization Act of 1970, as now or hereafter amended, and any rules or regulations promulgated thereto. In carrying out this responsibility, the commission may serve as the state agency responsible for recommending increases in rates for hospitals and related health care institutions to the cost of living council, or its successor; may apply to the cost of living council for authorization to administer a control program in Washington state in lieu of the federal controls established and otherwise administered by the cost of living council; may assume another function or role authorized by appropriate federal regulations implementing the Federal Economic Stabilization Act of 1970; or assume any combination of such roles or functions as it may determine will most effectively contain the rising costs of the varying kinds of hospitals and related health care institutions in Washington state. In determining its functions or roles in relation to the efforts to the cost of living council, or its successor, the commission shall seek to ensure coordination, and the reduction of duplicatory cost containment efforts, by the state and federal governments, as well as the diligent fulfillment of the purposes of this chapter and declared public policy and legislative intent herein: PROVIDED, HOWEVER, That in cases where the rates of nursing homes or similar health institutions are subject to review pursuant to the provisions of the Federal Economic Stabilization Act of 1970 or any rules or regulations promulgated thereto, the members of the commission representing hospitals shall not sit in the proceedings nor vote, and the governor shall appoint an ad hoc member representing nursing homes or similar

health institutions in lieu thereof, who shall have the same powers as the other members with respect to such review only.

NEW SECTION. Sec. 31. Sections 26 through 28 of this act shall constitute a new chapter in Title 48 RCW."

Renumber the remaining sections and correct any internal references accordingly.

Representatives Kreidler and Lewis spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 51, line 5 strike "nine hundred" and insert "six hundred twenty-two"

Representatives Tilly and Lewis spoke in favor of the amendment, and Mr. Kreidler spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 51 of the committee amendment to Engrossed Substitute Senate Bill No. 4403, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 52.

Excused: Representative King R - 1.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Stratton to the committee amendment:

On page 1 of the amendment, beginning on line 8, strike the remainder of the amendment and insert the following:

"Sec. 1. Section 9, chapter 223, Laws of 1982 and RCW 43.131.253 are each amended to read as follows:

The hospital commission and its powers and duties shall be terminated on June 30, ((1984)) 1985, as provided in RCW 43.131.254.

Sec. 2. Section 10, chapter 223, Laws of 1982 and RCW 43.131.254 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ((1985)) 1986:

- (1) Section 2, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.010;
- (2) Section 3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020;
- (3) Section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030;
- (4) Section 5, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 36, Laws of 1977 and RCW 70.39.040;
- (5) Section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050;
- (6) Section 7, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 35, Laws of 1977 and RCW 70.39.060;
- (7) Section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070;
- (8) Section 9, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.080;
- (9) Section 10, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.090;
- (10) Section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100;
- (11) Section 12, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.110;
- (12) Section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120;
- (13) Section 14, chapter 5, Laws of 1973 1st ex. sess., section 82, chapter 75, Laws of 1977 and RCW 70.39.130;
- (14) Section 15, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140;
- (15) Section 16, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150;
- (16) Section 17, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.160;
- (17) Section 18, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.170;
- (18) Section 19, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.180;

(19) Section 20, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.190;

(20) Section 21, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.200;

(21) Section 22, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.900; and

(22) Section 23, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.910.

NEW SECTION, Sec. 3. By January 1, 1985, a select committee of the legislature shall develop legislative recommendations for programs that will promote the state-wide development of comprehensive cost-effective managed health care systems and shall recommend programs that will promote use of such managed health care systems. The select committee shall be composed of twelve members of the legislature, six appointed by the speaker of the house of representatives and six appointed by the president of the senate, three from each of the largest political caucuses in each house, upon recommendation of the majority and minority caucuses of their respective bodies.

The committee shall elect a chairperson from among its membership.

The committee is authorized to appoint a technical advisory committee to prepare proposals under which cost-effective managed health care systems could be used to control health care costs, to more equitably distribute charity care among hospitals and licensed health care practitioners, and more effectively provide publicly and privately financed patient care.

For the purposes of this study 'managed health care system' means any health care organization, including health providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof, that provides directly or by contract comprehensive health care services to one or more defined patient populations by enrollment or other prior agreement or arrangement.

NEW SECTION, Sec. 4. By January 1, 1985, the governor shall submit a six-year state health care purchasing plan to the legislature. The plan shall identify the number and type of health care services purchased by the state through the department of social and health services, the department of labor and industries, the state employees' insurance board, the office of superintendent of public instruction, and other agencies of government where state funds are used to purchase health care. The plan shall contain objectives for realizing specific dollar savings in the purchase of these health care services by obtaining discounts from providers, contracting with managed health care systems, altering copayment and deductible requirements, instituting improved utilization controls, using prospective payment arrangements, or by other means.

The governor or the governor's designee shall report the governor's progress in completing this plan to the legislative budget committee and the social and health services and ways and means committees of the house of representatives and the senate by September 30, 1984."

Representatives Tilly, Stratton and Appelwick spoke in favor of the amendment, and Representatives Kreidler and Lewis spoke against it.

Mr. Tilly spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tilly and Stratton to page 1 of the committee amendment to Engrossed Substitute Senate Bill No. 4403, and the amendment was not adopted by the following vote: Yeas, 33; nays, 64; excused, 1.

Voting yea: Representatives Addison, Allen, Barrett, Betzoff, Bond, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Johnson, Long, Nealey, Nelson G. Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Stratton, Struthers, Taylor, Tilly, Van Luven, West, Williams J - 33.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Barnes, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Scott, Smith L, Smithernan, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 64.

Excused: Representative King R - 1.

The committee amendment as amended was adopted.

Mr. Kreidler moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Kreidler, the following amendment to the title amendment was adopted:

On page 52, line 8 of the title amendment before "amending" insert "amending section 5, chapter 122, Laws of 1969 as amended by section 1, chapter 100, Laws of 1983 and RCW 18.100.050: amending section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140;"

On page 53, line 26 of the title amendment, after "70.39 RCW;" insert "adding a new chapter to Title 48 RCW;"

The committee amendment to the title amendment as amended was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler, Lewis, McClure, B. Williams, Brough and Lux spoke in favor of passage of the bill, and Representatives Tilly and Padden spoke against it.

Mr. Garrett demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4403 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 22; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Barrett, Bond, Braddock, Chandler, Clayton, Dellwo, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Kreidler, Nelson G, Padden, Silver, Smith C, Stratton, Struthers, Taylor, Tilly, West - 22.

Excused: Representative King R - 1.

Engrossed Substitute Senate Bill No. 4403 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 Mr. Heck, the House adjourned until 1:00 p.m., Monday, February 27, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTIETH DAY
AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, February 27, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives R. King and Miller, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shannon Todd and David Langmack. Prayer was offered by The Reverend Charles Leps, Minister of the Gloria Dei Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 25, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1017,
ENGROSSED HOUSE BILL NO. 1355,
SUBSTITUTE HOUSE BILL NO. 1415,
HOUSE BILL NO. 1419,
HOUSE BILL NO. 1530,
SUBSTITUTE HOUSE BILL NO. 1547,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 26, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1162,
SUBSTITUTE HOUSE BILL NO. 1227,
SUBSTITUTE HOUSE BILL NO. 1266,
HOUSE BILL NO. 1295,
HOUSE BILL NO. 1395,
HOUSE BILL NO. 1517,
SUBSTITUTE HOUSE BILL NO. 1539,
SUBSTITUTE HOUSE BILL NO. 1666,
HOUSE JOINT MEMORIAL NO. 34,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 26, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1511,
SUBSTITUTE HOUSE BILL NO. 1582,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-135, by Representatives B. Williams, Tanner and L. Smith

WHEREAS, In 1847 Peter Crawford, a Scotsman, staked out a land claim in the wilderness of Washington Territory; and

WHEREAS, On October 4, 1884, he filed a plat of a new community on the Cowlitz River; and

WHEREAS, Peter Crawford, named the new community Kelso which was the name of his birthplace in Scotland; and

WHEREAS, in 1890 the district court of Washington Territory approved the incorporation of the new community of Kelso; and

WHEREAS, This year of 1984 marks the passage of 100 years since the filing of the town plat by Peter Crawford; and

WHEREAS, Richard I. Woods, Mayor of the City of Kelso, has proclaimed 1984 as Kelso Centennial Year;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the citizens of the City of Kelso enjoy a successful celebration of this Centennial Year; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to Richard I. Woods, Mayor of the City of Kelso.

Mr. B. Williams moved adoption of the resolution. Representatives B. Williams and L. Smith spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-142, by Representatives Betrozoff and Miller

WHEREAS, The Snoqualmie Falls Forest Theater and Family Park is honoring the twenty-fifth consecutive year of the Fall City Passion Play; and

WHEREAS, The Fall City Passion Play began in 1959 as part of a special Easter program in the Fall City Methodist Church; and

WHEREAS, The cast and audience increased and outgrew the church space; and

WHEREAS, By 1965, the participants of the Passion Play formed an amateur theater group called "Snoqualmie Falls Forest Theater" to encourage other good dramas and to share the powerful message communicated by the passion play; and

WHEREAS, The Snoqualmie Falls Forest Theater purchased one hundred acres of wooded land fronting the Snoqualmie River for a permanent outdoor theater; and

WHEREAS, By 1966, volunteer work parties began building an amphitheater facing the Snoqualmie Falls and, over the years, have completed a functional and attractive theater in a scenic atmosphere; and

WHEREAS, The amphitheater is now a Snoqualmie Valley tourist attraction which is widely known throughout the northwest;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize the twenty-fifth consecutive year of the Fall City Passion Play; and

BE IT FURTHER RESOLVED, That the House of Representatives applaud the accomplishments of the Snoqualmie Falls Forest Theater and Family Park; and

BE IT FURTHER RESOLVED, That the members of the body salute the numerous contributions made by conscientious volunteers who worked to build the amphitheater; and

BE IT FURTHER RESOLVED, That the House honor three of the original founders of the play, Dorothy and Henry Eaton and George Pratt, who wrote the original expanded script for the play; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the current director of the play, David Moore, who serves as Artistic Director of Snoqualmie Falls Theater; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Raymond Batcheller, President of the Snoqualmie Falls Forest Theater.

On motion of Mr. Betrozoff, the resolution was adopted.

SENATE AMENDMENTS TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 857 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It is the intent of the legislature in enacting this chapter to assign responsibilities for locating and keeping accurate records of utility locations, protecting and repairing damage to existing underground facilities, and protecting the public health and safety from interruption in utility services caused by damage to existing underground utility facilities.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Business day' means any day other than Saturday, Sunday, or a legal local, state, or federal holiday.

(2) 'Damage' includes the substantial weakening of structural or lateral support of an underground facility, penetration, impairment, or destruction of any underground protective coating, housing, or other protective device, or the severance, partial or complete, of any underground facility to the extent that the project owner or the affected utility owner determines that repairs are required.

(3) 'Emergency' means any condition constituting a clear and present danger to life or property, or a customer service outage.

(4) 'Excavation' means any operation in which earth, rock, or other material on or below the ground is moved or otherwise displaced by any means, except the tilling of soil less than twelve inches in depth for agricultural purposes, or road and ditch maintenance that does not change the original road grade or ditch flowline.

(5) 'Excavator' means any person who engages directly in excavation.

(6) 'Identified facility' means any underground facility which is indicated in the project plans as being located within the area of proposed excavation.

(7) 'Identified but unlocatable underground facility' means an underground facility which has been identified but cannot be located with reasonable accuracy.

(8) 'Locatable underground facility' means an underground facility which can be field-marked with reasonable accuracy.

(9) 'Marking' means the use of stakes, paint, or other clearly identifiable materials to show the field location of underground facilities, in accordance with the current color code standard of the American public works association. Markings shall include identification letters indicating the specific type of the underground facility.

(10) 'Person' means an individual, partnership, franchise holder, association, corporation, a state, a city, a county, or any subdivision or instrumentality of a state, and its employees, agents, or legal representatives.

(11) 'Reasonable accuracy' means location within twenty-four inches of the outside dimensions of both sides of an underground facility.

(12) 'Underground facility' means any item buried or placed below ground for use in connection with the storage or conveyance of water, sewage, electronic, telephonic or telegraphic communications, cablevision, electric energy, petroleum products, gas, gaseous vapors, hazardous liquids, or other substances and including but not limited to pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those parts of poles or anchors below ground.

(13) 'One-number locator service' means a service through which a person can notify utilities and request field-marking of underground facilities.

NEW SECTION, Sec. 3. Before commencing any excavation, the excavator shall provide notice of the scheduled commencement of excavation to all owners of underground facilities through a one-number locator service. If no one-number locator service is available, notice shall be provided individually to those owners of underground facilities known to or suspected of having underground facilities within the area of proposed excavation. The notice shall be communicated to the owners of underground facilities not less than two business days or more than ten business days before the scheduled date for commencement of excavation, unless otherwise agreed by the parties.

Upon receipt of the notice provided for in this section, the owner of the underground facility shall provide the excavator with reasonably accurate information as to its locatable underground facilities by surface-marking the location of the facilities. If there are identified but unlocatable underground facilities, the owner of such facilities shall provide the excavator with the best available information as to their locations. The owner of the underground facility providing the information shall respond no later than two business days after the receipt of the notice or before the excavation time, at the option of the owner, unless otherwise agreed by the parties. Excavators shall not excavate until all known facilities have been marked. Once marked by the owner of the underground facility, the excavator is responsible for maintaining

the markings. Excavators shall have the right to receive compensation from the owner of the underground facility for costs incurred if the owner of the underground facility does not locate its facilities in accordance with this section.

The owner of the underground facility shall have the right to receive compensation for costs incurred in responding to excavation notices given less than two business days prior to the excavation from the excavator.

An owner of underground facilities is not required to indicate the presence of existing service laterals or appurtenances if the presence of existing service laterals or appurtenances on the site of the construction project can be determined from the presence of other visible facilities, such as buildings, manholes, or meter and junction boxes on or adjacent to the construction site.

Emergency excavations are exempt from the time requirements for notification provided in this section.

If the excavator, while performing the contract, discovers underground facilities which are not identified, the excavator shall cease excavating in the vicinity of the facility and immediately notify the owner or operator of such facilities, or the one-number locator service.

NEW SECTION, Sec. 4. (1) Project owners shall indicate in bid or contract documents the existence of underground facilities known by the project owner to be located within the proposed area of excavation. The following shall be deemed changed or differing site conditions:

(a) An underground facility not identified as required by this chapter or other provision of law; and

(b) An underground facility not located, as required by this chapter or other provision of law, by the project owner or excavator if the project owner or excavator is also a utility.

(2) An excavator shall use reasonable care to avoid damaging underground facilities. An excavator shall:

(a) Determine the precise location of underground facilities which have been marked;

(b) Plan the excavation to avoid damage to or minimize interference with underground facilities in and near the excavation area; and

(c) Provide such support for underground facilities in and near the construction area, including during backfill operations, as may be reasonably necessary for the protection of such facilities.

(3) If an underground facility is damaged and such damage is the consequence of the failure to fulfill an obligation under this chapter, the party failing to perform that obligation shall be liable for any damages. Any clause in an excavation contract which attempts to allocate liability, or requires indemnification to shift the economic consequences of liability, different from the provisions of this chapter is against public policy and unenforceable. Nothing in this chapter prevents the parties to an excavation contract from contracting with respect to the allocation of risk for changed or differing site conditions.

(4) In any action brought under this section, the prevailing party is entitled to reasonable attorneys' fees.

NEW SECTION, Sec. 5. (1) An excavator who, in the course of excavation, contacts or damages an underground facility shall notify the utility owning or operating such facility and the one-number locator service. If the damage causes an emergency condition, the excavator causing the damage shall also alert the appropriate local public safety agencies and take all appropriate steps to ensure the public safety. No damaged underground facility may be buried until it is repaired or relocated.

(2) The owner of the underground facilities damaged shall arrange for repairs or relocation as soon as is practical or may permit the excavator to do necessary repairs or relocation at a mutually acceptable price.

NEW SECTION, Sec. 6. An excavation of less than twelve inches in vertical depth on private noncommercial property shall be exempt from the requirements of section 3 of this act, if the excavation is being performed by the person or an employee of the person who owns or occupies the property on which the excavation is being performed.

NEW SECTION, Sec. 7. (1) Any person who violates any provision of this chapter, and which violation results in damage to underground facilities, is subject to a civil penalty of not more than one thousand dollars for each violation. All penalties recovered in such actions shall be deposited in the general fund.

(2) Any excavator who wilfully or maliciously damages a field-marked underground facility shall be liable for treble the costs incurred in repairing or relocating the facility. In those cases in which an excavator fails to notify known underground facility owners or the one-number locator service, any damage to the underground facility shall be deemed wilful and malicious and shall be subject to treble damages for costs incurred in repairing or relocating the facility.

(3) This chapter does not affect any civil remedies for personal injury or for property damage, including that to underground facilities, nor does this chapter create any new civil remedies for such damage.

NEW SECTION. Sec. 8. The notification and marking provisions of this chapter may be waived for one or more designated persons by an underground facility owner with respect to all or part of that underground facility owner's own underground facilities.

NEW SECTION. Sec. 9. 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. 10. Sections 1 through 8 of this act shall constitute a new chapter in Title 19 RCW, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. D. Nelson moved that the House do concur in the Senate amendment to Substitute House Bill No. 857.

Representatives D. Nelson and Broback spoke in favor of the motion, and Representatives Isaacson and Long spoke against it.

The motion carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 857 as amended by the Senate.

Representatives Isaacson, Ballard and Long spoke against passage of the bill, and Representatives Broback and D. Nelson spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 857 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 17; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Ballard, Bond, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Long, Nealey, Padden, Prince, Struthers, Taylor, West, Wilson - 17.

Excused: Representatives King R, Miller - 2.

Substitute House Bill No. 857 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 SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1355,
 SUBSTITUTE HOUSE BILL NO. 1415,
 HOUSE BILL NO. 1419,
 SUBSTITUTE HOUSE BILL NO. 1511,
 HOUSE BILL NO. 1530,
 SUBSTITUTE HOUSE BILL NO. 1547,
 SUBSTITUTE HOUSE BILL NO. 1582.

SENATE AMENDMENTS TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 915 with the following amendments:

On page 1, line 17, after "conducted" strike all the material through "section" on line 21 and insert "pursuant to rules and regulations promulgated by the respective institutions of higher education"

On page 1, after line 21 strike all material through line 8 on page 2 and insert the following:

"(3) Upon the request of an evaluated person, the appropriate administrative officer of the institution shall provide a statement of the reasons of the peer review committees and of participating administrative officers for a final unfavorable decision on merit, promotion, tenure or reappointment. In the case of a disciplinary or dismissal proceeding, a statement of reasons shall be provided by the reviewing committee to the evaluated person for any decision unfavorable to such person.

(4) The institutions of higher education shall provide legal representation for any past or current members of the peer review committee and for individuals who testify orally or in writing in good faith before such committee in any legal action which may arise from committee proceedings." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Burns moved that the House do concur in the Senate amendments to Substitute House Bill No. 915.

Representatives Burns and Silver spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Substitute House Bill No. 915, and the motion was carried by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 92.

Absent: Representatives Kaiser, McMullen, Niemi, and Mr. Speaker - 4.

Excused: Representatives King R, Miller - 2.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 915 as amended by the Senate.

Mr. Burns spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 915 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Miller - 2.

Substitute House Bill No. 915 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 20, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1083 with the following amendments:

On page 2, line 32 after "representatives," insert "The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary."

On page 12, after line 27 insert:

"NEW SECTION. Sec. 13. There is appropriated for the biennium ending June 30, 1985, from the general fund to the department of revenue the sum of three hundred ten thousand dollars, or as much thereof as may be necessary for the purposes of this act."

On page 12, line 28 after "act" strike the remainder of the sentence and insert "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 14 of the title after "RCW:" insert "making an appropriation."

On page 1, line 15 of the title strike "and providing an effective date" and insert "and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Grimm moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1083.

Representatives Grimm and Cantu spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1083 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1083 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Prince - 1.

Excused: Representatives King R, Miller - 2.

Engrossed Substitute House Bill No. 1083 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1205 with the following amendments:

On page 1, line 15 after "trade" insert ", including trade in manufactured forest products"

On page 3, line 2 after "products" insert ", including barriers to manufactured forest products from Washington state"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Appelwick, the House concurred in the Senate amendments to Substitute House Bill No. 1205.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1205 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1205 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Vekich - 1.

Excused: Representatives King R, Miller - 2.

Substitute House Bill No. 1205 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed ENGROSSED ENGROSSED HOUSE BILL NO. 1348 with the following amendment:

On page 1, line 21 after "impacted," insert "The 1985-87 and subsequent biennial appropriations to the institutions shall be based on the level of reduced stipend resulting from this act."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Jacobsen, the House concurred in the Senate amendment to Engrossed House Bill No. 1348.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 1348 as amended by the Senate.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1348 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Miller - 2.

Engrossed House Bill No. 1348 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 21, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1439 with the following amendments:

On page 1, after line 25 insert a new subsection as follows:

"(3) Subsections (2), (3), and (4) of RCW 50.44.050, as they relate to services other than those in an instructional, research, or principal administrative capacity, shall not apply to an individual who has worked in a noninstructional, nonresearch, and nonprincipal administrative capacity for an educational institution during the same period one year earlier and who is not working in the current period due to a lack of work."

On page 3, beginning on line 23 strike all of subsection (5) and insert the following:

~~"((5) Subsections (2), (3), and (4) of this section, as they relate to services other than those in an instructional, research, or principal administrative capacity, shall not apply to an individual who has worked in a noninstructional, nonresearch, and nonprincipal administrative capacity for an educational institution during the same period one year earlier and who is not working in the current period due to a lack of work))"~~

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Fisch, the House concurred in the Senate amendments to Substitute House Bill No. 1439.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1439 as amended by the Senate.

Mr. Fisch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1439 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellsinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Miller - 2.

Substitute House Bill No. 1439 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1449 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 149, Laws of 1979 and RCW 28A.41.402 are each amended to read as follows:

As used in ~~(this act)~~ RCW 28A.41.400 through 28A.41.414 unless the context clearly indicates otherwise:

(1) 'Basic skills' means reading, mathematics, and language arts.

(2) 'Program of remediation' (~~(shall)~~) means the assistance (~~((in the remediation of basic skills deficiencies provided to five students or less per session))~~) provided to eligible students by a person certified pursuant to chapter 28A.70 RCW or by a person appropriately trained for that purpose acting under the direct supervision and control of a person certificated pursuant to chapter 28A.67 RCW. Such assistance shall be provided to ten eligible students or fewer per session. However, local school districts are encouraged to provide such assistance to five eligible students or fewer per session for students in grades one through six.

(3) 'Approved program' means a program of remediation which is designed by a public school district, or which is selected from the bank of nationally validated proven educational practices and is a diagnostic, prescriptive model in basic skills, and which is approved by the local school board and the superintendent of public instruction in accordance with the following criteria:

(a) All students participating in the program shall be (~~((educationally deprived by consequence of their being below grade level in basic skills achievement))~~) eligible as defined in RCW 28A.41.406;

(b) The program and individual student progress shall be based on performance objectives related to educational achievement and shall be annually evaluated by the district in a manner consistent with such objectives;

(c) The program shall provide supplementary services designed to meet the (~~((special educational))~~) needs of the participating students by providing a program of remediation for such participating students of at least one hundred minutes of instruction per week and of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the needs of such students and supportive services consisting of supervision, materials and supplies and the training of administrators, teachers, aides and tutors;

(d) (~~((Not less than fifty percent of the funds expended in the program by any school district in any fiscal year shall be expended in school attendance areas having high concentrations of students from low-income families as defined in Section 122 of Public Law 95-564))~~) The superintendent of public instruction may adopt additional program standards and procedures as necessary to combine the state program for remediation in basic skills with like federal programs in order to fulfill the state's goal of providing service to students in need of remediation; and

(e) The school district shall keep individual records of student progress and other such records and provide reasonable access thereto by parents and by the superintendent of public instruction as is necessary to assure compliance with the foregoing approval criteria.

(4) 'Basic skills tests' means tests established pursuant to RCW 28A.03.360, as now or hereafter amended.

(5) 'Placement testing' means the administration of (~~((objective))~~) nationally normed standardized tests by a school district for the purpose of diagnosing the basic skills achievement levels and remediation needs of individual students in conformance with instructions established by the superintendent of public instruction established for such purpose.

Sec. 2. Section 3, chapter 149, Laws of 1979 and RCW 28A.41.404 are each amended to read as follows:

((Each school district which has established an approved program)) Each school district in which students are enrolled who are eligible for remediation services under RCW 28A.41.406 shall establish an approved program. Each school district shall submit annually an application to the office of the superintendent of public instruction for program approval. Upon approval of the program, each school district shall be eligible (~~((as determined by the superintendent of public instruction.))~~) for state funds made available for the purposes of such program((s)). The ((number of students eligible to participate in such program in each school district)) allocation of state funds for each school district shall be calculated by the superintendent of public instruction ((through the use of data derived from the basic skills test: in making such calculations the superintendent of public instruction shall multiply the percentage of students taking the tests which scored in the lowest quartile, as compared to national norms, by the number of students enrolled in the district in grades two through six)) as follows: The number of students enrolled in grades one through twelve in the district shall be multiplied by the percentage of students taking the basic skills tests in the previous year who scored in the lowest quartile as compared to national norms, and then reduced by the number of students enrolled in grades one through twelve who receive special education instruction in basic skills pursuant to chapter 28A.13 RCW who scored in the lowest quartile as compared to national norms if the student's special education instruction is designed to address like needs as those addressed by the program of remediation: PROVIDED, That in making this calculation the superintendent of public instruction may use an average of the percentages of the students scoring in the lowest quartile over the immediately preceding five or fewer years.

Sec. 3. Section 4, chapter 149, Laws of 1979 and RCW 28A.41.406 are each amended to read as follows:

Each school district shall determine the students ((who may)) eligible to participate in an approved program of remediation ((shall be determined by each school district)) through placement testing(~~((PROVIDED, That only students in grades two through six who are behind~~

grade level in one or more basic skills shall be eligible to participate. PROVIDED FURTHER, That the total number of students in a school district who may participate in an approved program of remediation may not exceed the total number of eligible students calculated in accordance with the provisions of RCW 28A.41.404). Students enrolled in grades one through twelve who score at or below the twenty-fifth percentile in basic skills achievement shall be eligible to participate. Local school districts may determine that additional students are eligible if such students can be served within the funds allocated under RCW 28A.41.404. No student receiving ((educational services from the programs conducted)) special education instruction in basic skills pursuant to chapter 28A.13 RCW shall be eligible to participate in the remediation program established by ((this act)) RCW 28A.41.400 through 28A.41.414 if the student's ((program)) special education instruction is designed to address like needs as those addressed by the program of remediation.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

State moneys allocated to local districts for remediation assistance shall be spent only for remediation assistance activities.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

School districts may enrich the program authorized by RCW 28A.41.400 through 28A.41.414: PROVIDED, That such enrichment shall not constitute a responsibility of the state.

Sec. 6. Section 6, chapter 149, Laws of 1979 and RCW 28A.41.410 are each amended to read as follows:

In order to insure that school districts are meeting the requirements of an approved program, the superintendent of public instruction shall monitor such programs no less than once every three years. The results of the evaluations required by RCW 28A.41.402(3)(b) shall be transmitted to the superintendent of public instruction annually. The superintendent of public instruction shall also review annually the state-wide remediation program and shall submit a report of such review to the legislature on or before January 1 of each year.

NEW SECTION. Sec. 7. Section 7, chapter 149, Laws of 1979, section 2, chapter 163, Laws of 1982 and RCW 28A.41.412 are each repealed."

On page 1, line 1 of the title, after "assistance;" strike the remainder of the title and insert "amending section 2, chapter 149, Laws of 1979 and RCW 28A.41.402; amending section 3, chapter 149, Laws of 1979 and RCW 28A.41.404; amending section 4, chapter 149, Laws of 1979 and RCW 28A.41.406; amending section 6, chapter 149, Laws of 1979 and RCW 28A.41.410; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; and repealing section 7, chapter 149, Laws of 1979, section 2, chapter 163, Laws of 1982 and RCW 28A.41.412."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Galloway moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1449 and ask the Senate for a conference thereon.

Representatives Galloway and Betzoff spoke in favor of the motion, and it was carried.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Tuesday, February 28, 1984.

DEAN R. FOSTER, Chief Clerk

WAYNE EHLERS, Speaker

FIFTY-FIRST DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, February 28, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Isaacson, R. King and Niemi, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Raymond and Erik Hoffman. Prayer was offered by The Reverend Charles Leps, Minister of the Gloria Dei Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 26, 1984

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4110, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

February 28, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1355,
 SUBSTITUTE HOUSE BILL NO. 1415,
 HOUSE BILL NO. 1419,
 SUBSTITUTE HOUSE BILL NO. 1511,
 HOUSE BILL NO. 1530,
 SUBSTITUTE HOUSE BILL NO. 1547,
 SUBSTITUTE HOUSE BILL NO. 1582,
 SUBSTITUTE SENATE BILL NO. 3504,
 SENATE BILL NO. 3834,
 SUBSTITUTE SENATE BILL NO. 4110,
 SUBSTITUTE SENATE BILL NO. 4288,
 SENATE BILL NO. 4352,
 SENATE BILL NO. 4358,
 SENATE BILL NO. 4374,
 SENATE BILL NO. 4437,
 SENATE BILL NO. 4491,
 SENATE BILL NO. 4527,
 SENATE BILL NO. 4592,
 SENATE BILL NO. 4731.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

February 27, 1984

SSB 4416 Prime Sponsor, Committee on Commerce & Labor: Modifying provisions relating to unemployment insurance. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Vice Chair; Betrozoff, Brekke, Chandler, Clayton, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, C. Smith and Struthers.

Absent: Representative R. King, Chair.

Passed to Committee on Rules for second reading.

February 27, 1984

E2SSB 4831

Prime Sponsor, Committee on Ways & Means: Establishing a program for disclosure of information regarding hazardous substances in the workplace. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. This chapter shall be known and may be cited as the 'worker and community right to know act.'

NEW SECTION, Sec. 2. The legislature finds and declares that the proliferation of hazardous substances in the environment poses a growing threat to the public health, safety, and welfare; that the constantly increasing number and variety of hazardous substances, and the many routes of exposure to them make it difficult and expensive to monitor adequately and detect any adverse health effects attributable thereto; that individuals themselves are often able to detect and thus minimize effects of exposure to hazardous substances if they are aware of the identity of the substances and the early symptoms of unsafe exposure; and that individuals have an inherent right to know the full range of the risks they face so that they can make reasoned decisions and take informed action concerning their employment and their living conditions.

The legislature further declares that local health, fire, police, safety, and other government officials require detailed information about the identity, characteristics, and quantities of hazardous substances used and stored in communities within their jurisdictions, in order to plan adequately for, and respond to, emergencies, enforce compliance with applicable laws and regulations concerning these substances, and to compile records of exposures to hazardous substances over a period of time that will facilitate the diagnosis, treatment, and prevention of disease.

The legislature further declares that the extent of the toxic contamination of the air, water, and land in this state has caused a high degree of concern among its residents and that much of this concern is needlessly aggravated by the unfamiliarity of these substances to residents.

The legislature therefore determines that it is in the public interest to establish a comprehensive program for the disclosure of information about hazardous substances in the workplace and the community, and to provide a procedure whereby residents of this state may gain access to this information.

NEW SECTION, Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Chemical abstracts service number' means the unique identification number assigned by the Chemical Abstracts Service to chemicals.

(2) 'Chemical name' is the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry or the Chemical Abstracts Service rules of nomenclature.

(3) 'Common name' means any designation or identification such as a code name, code number, trade name, brand name, or generic name used to identify a chemical other than by its chemical name.

(4) 'Container' means a receptacle used to hold a liquid, solid, or gaseous substance, including, but not limited to, bottles, pipelines, bags, barrels, boxes, cans, cylinders, drums, cartons, vessels, vats, and stationary or mobile storage tanks. 'Container' does not include process containers.

(5) 'Council' means the 'right-to-know advisory council' created pursuant to section 17 of this act.

(6) 'County health department' means a county health agency established pursuant to Title 70 RCW.

(7) 'Department' means the department of labor and industries.

(8) 'Employee' means a person who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is the employee's personal labor for an employer under this chapter whether by way of manual labor or otherwise. Employee does not include:

(a) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment;

(b) Any person employed to do gardening, maintenance, repair, remodeling, or similar work in or about the private home of the employer;

(c) A person whose employment is not in the course of the trade, business, or profession of his or her employer and is not in or about the private home of the employer;

(d) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization;

(e) Any child under eighteen years of age employed by his or her parent or parents in agricultural activities on the family farm; or

(f) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67.16 RCW.

(9) 'Employee representative' means any individual or organization to whom an employee gives written authorization to exercise a right of access. For the purposes of access to employee exposure records and analysis using exposure or medical records, a recognized or certified collective bargaining agent shall be treated automatically as a designated representative without regard to written employee authorization.

(10) 'Employer' means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which contract is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations. Any person, partnership, or business entity not having employees, and who is covered by the industrial insurance act shall be considered both an employer and an employee except for the purposes of section 13 of this act. Where there are two or more employers at the same work place, each employer shall be solely responsible under this chapter for his or her own employees.

(11) 'Exposure' or 'exposed' means that an employee is subjected to a hazardous chemical in the course of employment through any route of entry such as inhalation, ingestion, skin contact or absorption, and includes potential, such as accidental or possible exposure.

(12) 'Hazardous substance' means any substance, or substance contained in a mixture, included on the workplace hazardous substance list developed by the department pursuant to section 5 of this act. Hazardous substances do not include consumer products packaged for distribution to, and used by, the general public, including any product used by an employer or the employer's employees in the same form, concentration, and manner as it is sold to consumers, and to the employer's knowledge, employee exposure is not significantly greater than the consumer exposure occurring during principal consumer use of the product. The department may, by inclusion in the standards adopted under section 5 of this act, determine whether any of the following may be excluded from the definitions of hazardous substance:

(a) Any substance received by an employee in a sealed package and subsequently sold or transferred in that package, if the seal remains intact while the substance is in the employer's workplace; or

(b) Any substance, mixture, or product if present in a physical state, volume, or concentration for which there is no valid and substantial evidence that a significant risk to human health may occur from exposure.

(13) 'Label' means a sign, emblem, sticker, or marker affixed to or stenciled onto a container.

(14) 'Manufacturer' means a person who produces, synthesizes, extracts, or otherwise makes a hazardous substance.

(15) 'Material safety data sheet' means a written document prepared by the manufacturer or supplier for each product containing a hazardous substance and transmitted by the manufacturer or supplier to purchasers pursuant to this chapter. Manufacturers and suppliers shall obtain or develop a material safety data sheet for each hazardous substance they produce or import. Employers shall have a material safety data sheet for each hazardous substance which they use. Each material safety data sheet shall contain at least the following information:

(a) The identity used on the label, and, except as provided for in section 9 of this act on trade secrets:

(i) If the hazardous substance is a single substance, its chemical and common name;

(ii) If the hazardous substance is a mixture which has been tested as a whole to determine its hazards, the chemical and common name of the ingredients which contribute to these known hazards and the common name of the mixture itself; or

(iii) If the hazardous substance is a mixture which has not been tested as a whole:

(A) The chemical and common name of all ingredients that have been determined to be health hazards, and that comprise one percent or greater of the composition, except that hazardous substances identified as carcinogens shall be listed if the concentrations are one-tenth of one percent or greater; and

(B) The chemical and common name of all ingredients that have been determined to present a physical hazard when present in the mixture;

(b) Physical and chemical characteristics of the hazardous substance, such as vapor pressure and flash point;

(c) The physical hazards of the hazardous substance including the potential for fire, explosion, and reactivity;

(d) The acute and chronic health hazards of the hazardous substance, including signs and symptoms of exposure, and any medical conditions that are generally recognized as being aggravated by exposure to the hazardous substance;

(e) The primary route of entry;

(f) The occupational safety and health act (OSHA) permissible exposure limit, American Conference of Governmental Industrial Hygienists threshold limit value, and any other exposure limit used or recommended by the manufacturer or supplier preparing the material safety data sheet, where available;

(g) Whether the hazardous substance is listed in the National Toxicology Program (NTP) Annual Report on Carcinogens (latest edition) or has been found to be a potential carcinogen in the International Agency for Research on Cancer (IARC) Monographs (latest editions), or by the occupational safety and health act;

(h) Any generally applicable precautions for safe handling and use that are known to the manufacturer or supplier preparing the material safety data sheet, including appropriate hygienic practices, protective measures during repair and maintenance of contaminated equipment, and procedures for clean-up of spills and leaks;

(i) Any generally applicable control measures that are known to the manufacturer or supplier preparing the material safety data sheet, such as appropriate engineering controls, work practices, or personal protective equipment;

(j) Emergency and first aid procedures;

(k) The date of preparation of the material safety data sheet or the last change to it;

(l) The name, address, and telephone number of the manufacturer, supplier, or other responsible party preparing or distributing the material safety data sheet, who can provide additional information on the hazardous substance and appropriate emergency procedures, if necessary; and

(m) Any additional information the department may require under section 23 of this act.

If no relevant information is found for any given category on the material safety data sheet, the manufacturer or supplier preparing the material safety data sheet shall mark it to indicate that no applicable information was found.

Where complex mixtures have similar hazards and contents, i.e., the chemical ingredients are essentially the same, but the specific composition varies from mixture to mixture, the manufacturer or supplier may prepare one material safety data sheet to apply to all of these similar mixtures.

The manufacturer or supplier preparing the material safety data sheet shall ensure that the information recorded accurately reflects the scientific evidence used in making the hazard determination. If the manufacturer or supplier becomes newly aware of any significant information regarding the hazards of a hazardous substance, or ways to protect against the hazards, this new information shall be added to the material safety data sheet within three months. Effective November 25, 1985, if the hazardous substance is not being produced or imported, the manufacturer or supplier shall add the information to the material safety data sheet before the hazardous substance is introduced into the workplace.

(16) 'Mixture' means any combination of two or more chemicals if the combination is not, in whole or in part, the result of a chemical reaction.

(17) 'Nonhazardous substance' means any item not included in the workplace hazardous substance list as prepared by the department pursuant to section 5 of this act.

(18) 'Process container' means:

(a) A container, excluding a pipeline, the content of which is changed frequently;

(b) A container into which substances are transferred from labeled containers, and which is intended only for the immediate use of the employee who performs the transfer;

(c) A container on which a label would be obscured by heat, spillage, or other factors; or

(d) A test tube, beaker, vial, or other container which is routinely used and reused;

(e) The employer may use signs, placards, process sheets, batch tickets, operating procedures, or other written materials in lieu of affixing labels to individual process containers, as long as the alternative method identifies the containers to which the label is applicable and conveys the information required by section 14 of this act to be on a label. The written materials shall be readily accessible to the employees in their work area throughout each work shift;

(f) The employer is not required to label portable containers into which hazardous chemicals are transferred from labeled containers, and which are intended only for the immediate use of the employee who performs the transfer.

(19) 'Research and development laboratory' means a specially designated area used primarily for research, development, teaching, and testing activity, and not primarily involved in the production of goods for commercial sale, in which hazardous substances are used by or under the direct supervision of a technically qualified person.

(20) 'Supplier' means any firm or individual other than the initial manufacturer, such as an importer or distributor, who supplies or imports products containing hazardous substances.

(21) 'Technically qualified individual' means a person who, because of education, training, or experience, understands the health risks associated with the hazardous substance or mixture handled by or under his or her supervision.

(22) 'Trade secret' has the definition found in the uniform trade secrets act, RCW 19.108.010(4).

(23) 'Work area' means a room or defined space in a workplace where hazardous substances are produced or used and where employees are present.

(24) 'Workplace' means an establishment at one geographical location containing one or more work areas.

(25) 'Workplace hazardous substance list' means the list of health hazard substances developed by the department under section 5 of this act for which a manufacturer or supplier may make a trade secret claim.

NEW SECTION. Sec. 4. (1) The application of this chapter is limited with respect to the following employees:

- (a) Employees of handlers of sewage or solid waste;
- (b) Employees of research and development laboratories;
- (c) Employees who are performing duties subject to regulations regarding the transportation of hazardous substances promulgated by any of the following agencies:
 - (i) The federal department of transportation;
 - (ii) The Washington utilities and transportation commission; or
 - (iii) The international maritime organization of the United Nations;
- (d) Other employees who are performing duties directly relating to the transportation of hazardous substances.

(2) Employers shall be limited to the following responsibilities under this chapter with regard to employees listed in subsection (1) of this section:

- (a) Extensive education and training programs shall be provided to employees in accordance with section 13 of this act;
- (b) Employers shall ensure that labels on incoming containers of hazardous substances are not removed or defaced;
- (c) Employers shall maintain material safety data sheets that are received with incoming shipments for each type of hazardous substance in their workplace, and ensure that they are readily accessible to employees;
- (d) The workplace survey required by section 6 of this act shall be completed to the extent that information is reasonably available; and
- (e) Any employee who is exposed to a hazardous substance shall be immediately provided with a material safety data sheet if possible.

(3) The limitations in this section apply only to employees directly involved in the transportation of hazardous substances, directly involved in laboratory research, or directly involved in handling sewage or solid waste. Employees not directly involved in the transportation of hazardous substances, not directly involved in laboratory research, or not directly involved in handling sewage or solid waste are covered by the full terms of this chapter.

NEW SECTION. Sec. 5. (1) The department, after consultation with the department of agriculture, shall develop a workplace hazardous substance list in accordance with rules adopted under chapter 34.04 RCW that shall include:

- (a) Any substance regulated under the Washington industrial safety and health act, chapter 49.17 RCW;
- (b) Those environmental hazardous substances designated by the federal Environmental Protection Agency pursuant to section 307 and 311 of the federal Clean Water Act of 1977 (33 U.S.C. Secs. 1317 and 1321 respectively) or as hazardous air pollutants pursuant to section 112 of the federal Clean Air Act (42 U.S.C. Sec. 4712) as amended, which have known adverse human health risks;
- (c) Substances listed as human or animal carcinogens by the International Agency for Research on Cancer (IARC);
- (d) Substances for which an information alert has been issued by the department; and
- (e) Any other substance which the department, based on documented scientific evidence, determines may pose a threat to the health or safety of an employee.

(2) The department shall develop by rule, in accordance with chapter 34.04 RCW, criteria by which hazardous substances may be placed or deleted from the list established under this section.

NEW SECTION. Sec. 6. (1) The department, after consultation with the department of agriculture, shall develop a workplace survey in accordance with rules adopted under chapter 34.04 RCW. The workplace survey shall include a copy of the workplace hazardous substance list.

(2) The department shall transmit the workplace survey to each employer in the state no later than June 1, 1986. Employers shall complete the workplace survey and return it to the department within forty-five days except when employer receives an extension from the department. The number of workplace surveys an employer must submit shall be in accordance with criteria developed by the department.

(3) For those employees who communicate primarily in a language other than English, employers shall make a reasonable effort to inform such employees of their rights under this chapter. When necessary or desirable, the department shall prepare and, upon request, make available to the employers and the public a translation of the workplace survey and each material safety data sheet. The department shall also prepare and make available, when necessary or desirable, translations of written material prepared by the department to inform employees of their rights under this chapter.

An employer shall ensure that all employees, regardless of any language barriers, are provided with a suitable education and training program required pursuant to section 14 of this act.

Every employer employing employees who have trouble communicating in English shall make reasonable efforts to post any notices in the employees' native language as provided by the department.

NEW SECTION, Sec. 7. (1) The manufacturer or supplier of any product used or brought into the state, which product contains hazardous substances as listed pursuant to section 5 of this act, shall prepare and/or provide its purchasers of the product and the department with a material safety data sheet or sheets containing information specified in section 3(15) of this act by November 25, 1985. The manufacturer or supplier shall make every reasonable effort to ensure that the information contained in each material safety data sheet is current, accurate, and complete. Failure to provide current, accurate, and complete information as required by this section shall result in civil and criminal penalties as provided in chapter 49.17 RCW.

(a) This material safety data sheet shall be provided to the purchaser and to the department at the time of initial shipment and with the first shipment after each update of the material safety data sheet.

(b) The manufacturer or supplier shall revise a material safety data sheet pursuant to section 3(15) of this act regarding new information that affects the accuracy of the existing material safety data sheet. If the new information indicates either increased or decreased risks or additional measures necessary to protect employee health as compared to those stated on the material safety data sheet previously provided, the manufacturer or supplier shall provide the new material safety data sheet to the department and to those who have purchased the product directly from the manufacturer or supplier within the last year.

(2) If an employer has reason to believe that a product present at the employer's facility contains a hazardous substance as a component, but has not obtained from the manufacturer or supplier of the product a material safety data sheet, the employer shall list the product by its common name in the space provided on the survey. The department shall have the responsibility of obtaining the material safety data sheet, and, upon obtaining this information, shall transmit it to the employer.

(3) The manufacturer or supplier may provide the information required by section 3(15) of this act on an entire product mixture instead of on each hazardous substance in it when all of the following conditions exist:

(a) Hazard test information exists on the mixture itself, or adequate information exists to form a valid judgment of the hazardous properties of the mixture itself and the material safety data sheet indicates that the information presented and the conclusions drawn are from some source other than direct test data on the mixture itself;

(b) Providing information on the mixture will be as effective in protecting employee health as information on the ingredients; and

(c) The hazardous substances in the mixture are identified on the material safety data sheet unless it is either unfeasible to describe all the ingredients in the mixture or the identity of the ingredients is itself a valid trade secret. In either case, the reason why the hazardous substances in the mixture are not identified shall be stated on the material safety data sheet.

(4) A single mixture material safety data sheet may be provided for more than one formulation of a product mixture if the information provided pursuant to section 3(15) of this act does not vary for the formulation.

(5) The provisions of this section shall be complied with not later than November 25, 1985.

NEW SECTION, Sec. 8. (1) The department shall, upon request, transmit a copy of the workplace survey to the health department of the county in which the employer's facility is located, the local fire department, and the local police department.

(2) The department shall annually notify the association of Washington cities, the Washington state association of counties, and the Washington fire commissioners association of their rights under this chapter. These organizations shall inform their members of the information available to the members through the department.

NEW SECTION, Sec. 9. (1) The manufacturer, employer, or supplier may make a trade secret claim to the department. Such a trade secret claim does not relieve the manufacturer or supplier from the duty to provide the department with the material safety data sheet. The department shall, by rules adopted in accordance with chapter 34.04 RCW, establish criteria to determine whether the trade secret claim is warranted, and if warranted set forth procedures for the transmittal of information obtained on the material safety data sheet to the employer while providing protection for the trade secret. While the trade secret claim is under review, a manufacturer, employer, or supplier may withhold the hazardous substance trade secret information from the label required by section 14 of this act, the workplace survey required by section 6 of this act, and the material safety data sheet required by section 7 of this act. The manufacturer or supplier shall notify purchasers of trade secret claims made to the department. For any trade secret claim, the manufacturers or suppliers shall compensate the department for expenses incurred in evaluating the validity of that claim.

(2) Where a treating physician or nurse determines that a medical emergency exists and the specific chemical identity of a hazardous chemical is necessary for emergency or first-aid treatment, the manufacturer, supplier, or employer shall immediately disclose the specific chemical identity to that treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement. The manufacturer, supplier, or employer may require a written statement of need and confidentiality agreement in accordance with provisions developed by the department.

(3) Any challenge to the denial of a trade secret claim shall be heard by an administrative law judge in accordance with chapter 34.04 RCW.

NEW SECTION, Sec. 10. (1) The department shall maintain a file of all completed workplace surveys and material safety data sheets received pursuant to sections 5, 7, and 8 of this act. The workplace surveys and material safety data sheets shall be retained by the department for thirty years.

(2) Copies of such records maintained on microfiche or microfilm shall be admissible evidence in any judicial or administrative proceeding.

(3) The department shall require employers who have hazardous substances present at their workplaces to update annually the workplace survey for the employer's workplace.

(4) The department shall require all employers to complete a workplace survey at least once every five years.

(5) Any person may request from the department a copy of a workplace survey for a workplace, together with the appropriate material safety data sheets. The department is the only public agency required to respond to these requests. The department shall keep a record of each request to be made available to health and law enforcement agencies. The record shall include the information released and the identification of the person or organization making the request. A 'community right-to-know' state-wide toll-free telephone number shall be made available by the department to receive workplace survey and material safety data sheet requests. The department shall advise the employer when requests for information pertaining to his or her workplace have been made by persons or organizations other than (a) employees working for the employer, or (b) local health, fire, and law enforcement agencies. The department shall impose reasonable limits on requests made under this section and may establish reasonable fees to be charged for copies. Any request by an employee for material pertaining to the workplace where the employee is employed made pursuant to this subsection shall be treated by the department as confidential.

NEW SECTION, Sec. 11. Every employer shall establish and maintain a central file at that employer's workplace in which the employer shall retain a workplace survey for the workplace and appropriate material safety data sheets. Every employer shall post on bulletin boards or other places readily accessible to employees a notice in a form substantially the same as a notice developed by the department of the availability of the information in the file. Every employer shall supply employees with any material designed and provided by the department to inform employees of their rights under this chapter.

NEW SECTION, Sec. 12. (1) Within three working days, employers shall make available as soon as possible without interrupting normal work operations, a workplace survey and a material safety data sheet on each hazardous substance in the employees' work area upon written request of an employee, or the employee's designated representative.

(2) If a manufacturer or supplier has failed to provide a material safety data sheet as specified in section 7 of this act, employers shall notify the department and identify the hazardous substance, manufacturer or supplier, and trade name to the department.

(3) If the material safety data sheet is not on file with the department, the department shall request the manufacturer or supplier to furnish:

(a) The most current material safety data sheet;

(b) A statement that the material safety data sheet is under development and the estimated completion date; or

(c) A statement that the product is not subject to the requirements of this chapter.

(4) The manufacturer or supplier shall provide a response to the request under subsection (3) of this section within fifteen days of receipt of the request.

(5) The department shall notify the employer and employee with copies of the response.

NEW SECTION, Sec. 13. (1) Every employer or group of employers shall establish or use an existing education and training program for that employer's employees, which shall be designed to inform employees in writing and orally of the nature of the hazardous substances to which they are exposed in the course of their employment and the potential health risks which the hazardous substances pose as provided in the material safety data sheets for the hazardous substances to which the employees may be exposed at the workplace. An employer shall provide current employees with the education and training program by June 1, 1986, and annually thereafter. Beginning June 1, 1986, all new employees shall be provided with the training and education program within the first month of employment. At the time of entering an employment agreement with a prospective employee, an employer shall notify a prospective employee of the availability of workplace surveys and appropriate material safety data sheets for the workplace at which the prospective employee will be employed.

(2) An employer with fewer than thirty-five full-time employees may request assistance, including on-site assistance, from the department in completing its workplace surveys and education and training programs.

NEW SECTION. Sec. 14. (1) A company or individual who manufactures or supplies a hazardous substance or mixture containing a hazardous substance and who supplies the substance or mixture to an employer in the state shall label all such substances and mixtures by the chemical or common name and the appropriate hazard warnings according to chapter 49.17 RCW. These labels shall be updated whenever the product mix is changed or if the manufacturer or supplier becomes aware of any information which is both new and significant regarding the health hazard of a component of the product.

(2) By June 1, 1986, every employer shall make every reasonable effort to assure that every container at the employer's workplace containing a hazardous substance shall bear a label indicating the chemical or common name and the appropriate hazard warnings in accordance with chapter 49.17 RCW.

(3) The labeling requirements of subsections (1) and (2) of this section shall not apply to containers labeled pursuant to the 'Federal Insecticide, Fungicide, and Rodenticide Act' (61 Stat. 163; 7 U.S.C. sec. 121 et al.). The department may, by rule, certify containers labeled pursuant to any other federal rule or regulation as labeled in compliance with this section.

(4) Although process containers are excluded from labeling requirements, the employer shall post in a readily available place a workplace hazardous substance list indicating the chemical name or chemical abstracts service number of all hazardous substances contained therein. Labeling of normally-operated vents to the atmosphere, sample connections, and drains in those areas is required if there is potential for employee exposure to a hazardous substance.

(5) In cases of pipes or piping systems, a fixed storage tank, or a reaction vessel, an employer may choose to convey the information required by this section by posting signs, placards, or operating instructions, or other methods rather than affixing labels. For any pipe or piping system, the information required by this section shall be provided at points where direct employee exposure to the hazardous substance contained in the pipe or piping system is likely to occur under normal operating conditions.

(6) If any provisions of this section are inconsistent with the federal Resource Conservation and Recovery Act, or with applicable regulations issued under that act by the Environmental Protection Agency or with chapter 70 RCW, or with regulations adopted by the department of ecology pursuant to its authority under RCW 70.105.020 and RCW 70.105.130, the provisions of this section shall be deemed superseded by those federal and state statutes and regulations.

NEW SECTION. Sec. 15. An employee or employee representative may request, in writing, from the employer, a copy of a workplace survey or a material safety data sheet, filed pursuant to this chapter for the employee's work area. The employer shall supply this material within three working days of the request. If an employer has not complied with section 12 of this act, an employee shall have the right to refuse to work with a particular hazardous substance for which a request was made and not honored within the statutory time period without loss of pay or forfeit of any other privilege until the request is honored. This section shall not apply to employees of vessels while the employees are on the water.

NEW SECTION. Sec. 16. No employer may discharge, cause to be discharged, or otherwise discipline, penalize, or discriminate against any employee because the employee or the employee's representative has exercised any right established in this chapter. The discrimination provisions of chapter 49.17 RCW apply to this chapter.

NEW SECTION. Sec. 17. (1) The director shall establish in the department a right-to-know advisory council, which shall consist of fifteen members appointed by the director. Each of these members shall be appointed for a term of three years, provided that of the members of the council first appointed by the director, five shall serve for terms of one year, five shall serve for terms of two years, and five shall serve for terms of three years. Of these members, one shall be appointed from persons having training and experience in industrial hygiene recommended by recognized labor unions; one from persons recommended by recognized agricultural organizations; one from persons recommended by recognized environmental organizations; one from persons recommended by recognized public interest organizations; one from persons recommended by recognized organizations of chemical industries; one from persons recommended by recognized community organizations; one from persons recommended by recognized organizations of petroleum industries; one from persons recommended by recognized organizations of fire fighters; one from persons recommended by recognized business or trade organizations; one from persons recommended by recognized organizations of small business; one from persons holding an M.D. degree recommended by recognized public health organizations; two persons from professional accident and safety organizations; one person from the technology-based industries; and one from persons with training and experience in environmental epidemiology and toxicology recommended by recognized research or academic organizations. In the event that no recommendations for a particular category of membership are made to the director three months after the effective date of this act in the case of the initial appointments, or within sixty days of the date of the expiration of

the term of office of any member or the occurrence of any vacancy in the case of subsequent appointments, the director shall appoint as a member for that category of membership a person whom the director believes will be representative thereof.

(2) A majority of the membership of the council constitutes a quorum for the transaction of council business. Action may be taken and motions and resolutions adopted by the council at any meeting thereof by the affirmative vote of a majority of the members of the council present and voting.

(3) The council shall meet regularly as it may determine, and shall also meet at the call of the department.

(4) The council shall appoint a chairman and other officers as may be necessary from among its members. The council may, within the limits of any funds appropriated or otherwise made available to it for this purpose, appoint such staff or hire such experts as it may require.

(5) Members of the council shall serve without compensation, but the council may, within the limits of funds appropriated or otherwise made available to it for such purposes, reimburse its members for necessary expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 18. (1) The council shall:

(a) Advise the department on the revision of the workplace hazardous substance lists;

(b) Study the impact of this chapter on employers and make recommendations to the legislature. Special emphasis shall be given to the study of the impacts on agricultural and small business employers;

(c) Advise the department on the implementation of this chapter; and

(d) Review any matters submitted to it by the department.

(2) The council may:

(a) Review any aspect of the implementation of this chapter, and transmit its recommendations to the department; and

(b) Hold public meetings or hearings within the state on any matter or matters related to this chapter.

NEW SECTION. Sec. 19. The department, in conjunction with the council, shall establish a procedure for annually receiving information, advice, testimony, and recommendations from the council, the public, and any other interested party concerning the implementation of this chapter. This procedure shall include a mechanism for revising the workplace hazardous substance list. Any revision of the workplace hazardous substance list shall be based on documented scientific evidence. The department shall publicly announce any revisions of the workplace hazardous substance list, and any such additions or revisions shall be made pursuant to chapter 34.04 RCW.

NEW SECTION. Sec. 20. The department shall produce educational brochures and public service announcements detailing information available to citizens under this chapter. These educational materials shall be sent to each county health department. As necessary, the department shall provide information needed to update these educational materials.

NEW SECTION. Sec. 21. A person may bring a civil action on his or her own behalf against a manufacturer, supplier, employer, or user for a violation of a provision of this chapter or any rule promulgated under this chapter. The superior court shall have jurisdiction over these actions. The court may award costs of litigation to the prevailing party, including reasonable attorney and expert witness fees.

NEW SECTION. Sec. 22. Substances not included on the workplace hazardous substance list shall not be subject to the reporting provisions of this chapter. However, the absence of any substance from the workplace hazardous substance list, or the provision of any information by an employer to an employee or any other person pursuant to the provisions of this chapter shall not affect any other liability of an employer with regard to safeguarding the health and safety of an employee or any other person exposed to the substance, nor shall it affect any other duty or responsibility of an employer to warn ultimate users of a substance of any potential health hazards associated with the use of the substance pursuant to the provisions of any law or rule adopted pursuant thereto.

NEW SECTION. Sec. 23. The department may request from an employer submitting surveys to it further information concerning the surveys, and the employer shall provide the additional information upon the request. The employer may require the department to provide reasons why further information is needed and to sign an agreement protecting the confidentiality of any additional information provided under this section.

NEW SECTION. Sec. 24. (1) The worker and community right to know fund is hereby established in the custody of the state treasurer. The department shall deposit all moneys received under this chapter in the fund. Moneys in the fund may be spent only for the purposes of this chapter following legislative appropriation. Disbursements from the fund shall be on authorization of the director or the director's designee. The fund is subject to the allotment procedure provided under chapter 43.88 RCW.

(2) The department shall assess each employer a fee of seventy-five cents per employee to provide for the implementation of the provisions of this chapter. After this initial assessment, the fees shall be based on a fee schedule developed by the department and shall be collected

only from those employers who have hazardous substances present at their workplaces. All fees collected by the department pursuant to this section shall be collected in a cost-efficient manner and shall be deposited in the fund.

(3) Records required by this chapter shall at all times be open to the inspection of the director, or his designee including, the traveling auditors, agents or assistants of the department provided for in RCW 51.16.070 and 51.48.040. The information obtained from employer records under the provisions of this section shall be subject to the same confidentiality requirements as set forth in RCW 51.16.070.

(4) An employer may appeal the assessment of the fee pursuant to the procedures set forth in chapter 49.17 RCW and accompanying rules except that the employer shall not have the right of appeal to superior court as provided in chapter 49.17 RCW. The employer from whom the fee is demanded or enforced, may however, within thirty days of the board of industrial insurance appeal's final order, pay the fee under written protest setting forth all the grounds upon which such fee is claimed to be unlawful, excessive or otherwise improper and thereafter bring an action in superior court against the department to recover such fee or any portion of the fee which was paid under protest.

(5) Repayment shall be made to the general fund of any moneys appropriated by law in order to implement this chapter.

NEW SECTION. Sec. 25. Unless reference is specifically made to another chapter, this chapter shall be implemented and enforced including penalties, violations, citations, and other administrative procedures pursuant to chapter 49.17 RCW.

NEW SECTION. Sec. 26. If a manufacturer, supplier, employer, or user refuses or fails to provide the department with any data sheets, workplace surveys, or other papers, documents, or information required by this chapter, the department may give written notice to the manufacturer, supplier, employer, or user demanding immediate compliance. If the manufacturer, supplier, employer, or user fails to begin to comply with the terms of the notice within fourteen days of receipt, the department may levy a fine of up to five thousand dollars per day from the final date for compliance allowed by this section or by the department. In any case where the noncompliance continues for more than fifteen days or where the department determines the failure to comply creates a potential health or safety hazard to employees or hinders the department's performance of its duties under this chapter, the department may, in lieu of levying a fine or further fines, petition the superior court of Thurston county or the county where the manufacturer, supplier, employer, or user is located for an order enjoining the manufacturer, employer, supplier, or user from further noncompliance and granting any other remedies that may be appropriate. The court may award the department costs of litigation, including attorney's fees, if the department is the prevailing party.

NEW SECTION. Sec. 27. Except as otherwise provided in this chapter, the department, after consultation with the department of agriculture, shall adopt any rules necessary to carry out its responsibilities under this chapter.

NEW SECTION. Sec. 28. Sections 3 through 27 of this act shall constitute a new chapter in Title 49 RCW.

NEW SECTION. Sec. 29. There is appropriated from the general fund to the worker and community right to know fund for the biennium ending June 30, 1985, the sum of ninety-seven thousand four hundred fifty-three dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 30. 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."

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Brekke, Burns, Dellwo, Jacobsen, Lewis, Lux, Patrick, Pruitt, and Van Dyken.

Voting nay: Representatives Clayton, Hankins and J. Williams.

Rereferred to Committee on Ways & Means.

The Speaker called on Mr. O'Brien to preside.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-134, by Representatives L. Smith, B. Williams and Tanner

WHEREAS, It is the policy of the legislature to recognize excellence in all fields of endeavor; and

WHEREAS, Kelso High School rose to a level of excellence in state football competition in the 1983 school year; and

WHEREAS, The Kelso High School Hilanders defeated Sedro Woolley High School by a score of twenty-eight to seven on December 3, 1983 in the Kingdome to capture the Class AA state football championship; and

WHEREAS, Head football coach Ed Laulainen and his staff should be applauded for their ability to mold student athletes into champions; and

WHEREAS, Accomplishments such as this are attained only when parents, faculty, administration and students come together as a united community and produce a spirit of competition and team effort that cannot be equaled;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Kelso High School State Football Champions be commended on their great success; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Ed Laulainen, Head Coach of the Kelso High School football team.

Ms. L. Smith moved adoption of the resolution. Representatives L. Smith and McMullen spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-148, by Representative Fiske

WHEREAS, The Washington State Legislature appreciates the aesthetic enhancement of the legislative chamber; and

WHEREAS, Flowers are a beautiful seasonal addition to the House floor; and

WHEREAS, In 1981, Tulips adorned the desk of each Representative; and

WHEREAS, In 1982, Daffodils adorned the desk of each Representative; and

WHEREAS, In 1983, Tulips adorned the desk of each Representative; and

WHEREAS, In 1984, Daffodils adorned the desk of each Representative; and

WHEREAS, These majestic flowers were provided each year by the Washington Bulb Company of Mount Vernon, Washington; and

WHEREAS, Bill and Dickie Roozen and their family have owned and operated the Washington Bulb Company for over thirty years; and

WHEREAS, Bill and Dickie Roozen, with the help of their five boys have built the Washington Bulb Company into one of the largest bulb companies in the world;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Washington Bulb Company, and the Bill and Dickie Roozen family be commended for their beautiful donations to the House of Representatives; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Bill and Dickie Roozen and the Washington Bulb Company.

On motion of Ms. Miller, the resolution was adopted.

SENATE AMENDMENTS TO HOUSE BILL

February 13, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 217 with the following amendments:

On page 1, line 22, after "contractor" strike "and for the protection of the owner or owners of such public improvement"

On page 4, after line 19, insert the following:

"(7) On projects commenced after the effective date of this 1984 act, the trust fund established pursuant to subsection (1) of this section may be reserved for the protection of the owner or owners of such public improvements when specifically required by regulations of the farmers home administration for the provision of grant or loan funds administered by that agency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Moon moved that the House do concur in the Senate amendments to House Bill No. 217.

Representatives Moon and Van Dyken spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of House Bill No. 217 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 217 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 3; excused, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Gallaway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Clayton, King P, Sutherland - 3.

Excused: Representatives Isaacson, King R, Niemi - 3.

House Bill No. 217 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 843 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 41.50 RCW a new section to read as follows:

(1) The employer of any employee whose retirement benefits are based in part on excess compensation, as defined in this section, shall, upon receipt of a billing from the department, pay into the appropriate retirement system the present value at the time of the employee's retirement of the total estimated cost of all present and future benefits from the retirement system attributable to the excess compensation. The state actuary shall determine the estimated cost using the same method and procedure as is used in preparing fiscal note costs for the legislature. However, the director may in the director's discretion decline to bill the employer if the amount due is less than fifty dollars. Accounts unsettled within thirty days of the receipt of the billing shall be assessed an interest penalty of one percent of the amount due for each month or fraction thereof beyond the original thirty-day period.

(2) 'Excess compensation,' as used in this section, includes any payment that was used in the calculation of the employee's retirement allowance, except regular salary and overtime, but is not limited to a cash out of unused annual leave in excess of two hundred forty hours of such leave, a cash out of any other form of leave, a payment for, or in lieu of, any personal expense, and any other termination or severance payment used in the calculation of the employee's retirement allowance. Any payment which is made pursuant to any labor agreement currently in force shall not be deemed excess compensation. Any payments in excess of regular salary and overtime, and two hundred and forty (240) hours of unused annual leave made after the expiration of a current contract shall be excess compensation.

(3) This section applies to the retirement systems listed in RCW 41.50.030 and to retirements occurring on or after the effective date of this act. Nothing in this section is intended to amend or determine the meaning of any definition in chapter 2.10, 2.12, 41.26, 41.32, 41.40, or 43.43 RCW or to determine in any manner what payments are includable in the calculation of a retirement allowance under such chapters.

(4) An employer is not relieved of liability under this section because of the death of any person either before or after the billing from the department.

NEW SECTION. Sec. 2. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 10, Laws of 1982 1st ex. sess. and RCW 41.32.4985; and

(2) Section 34, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.187.

NEW SECTION. Sec. 3. There is added to chapter 2.10 RCW a new section to read as follows:

The director of retirement systems is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 4. There is added to chapter 2.12 RCW a new section to read as follows:

The director of retirement systems is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 5. There is added to chapter 41.26 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 6. There is added to chapter 41.32 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

Sec. 7. Section 57, chapter 80, Laws of 1947 as last amended by section 5, chapter 151, Laws of 1967 and RCW 41.32.570 are each amended to read as follows:

Any retired teacher who enters service in any public educational institution within the state of Washington shall cease to receive pension payments while engaged in such service: PROVIDED, That service may be rendered up to seventy-five days per school year without reduction of pension.

NEW SECTION. Sec. 8. There is added to chapter 41.40 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 9. There is added to chapter 43.43 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 10. There is added to chapter 41.40 RCW a new section to read as follows:

(1) Any person who was a member of the state-wide city employees' retirement system governed by chapter 41.44 RCW and who also became a member of the public employees' retirement system on or before the effective date of this act may, in a writing filed with the director, elect to:

(a) Transfer to the public employees' retirement system all service currently credited under chapter 41.44 RCW;

(b) Reestablish and transfer to the public employees' retirement system all service which was previously credited under chapter 41.44 RCW but which was canceled by discontinuance of service and withdrawal of accumulated contributions as provided in RCW 41.44.190. The service may be reestablished and transferred only upon payment by the member to the employees' savings fund of the public employees' retirement system of the amount withdrawn plus interest thereon from the date of withdrawal until the date of payment at a rate determined by the director. No additional payments are required for service credit described in this subsection if already established under this chapter; and

(c) Establish service credit for the initial period of employment not to exceed six months, prior to establishing membership under chapter 41.44 RCW, upon payment in full by the member of the total employer's contribution to the benefit account fund of the public employees' retirement system that would have been made under this chapter when the initial service was rendered. The payment shall be based on the first month's compensation earnable as a member of the state-wide city employees' retirement system and as defined in RCW 41.44.030(13). However, a person who has established service credit under RCW 41.40.010(11) (c) or (d) shall not establish additional credit under this subsection nor may anyone who establishes credit under this subsection establish any additional credit under RCW 41.40.010(11) (c) or (d). No additional payments are required for service credit described in this subsection if already established under this chapter.

(2)(a) In the case of a member of the public employees' retirement system who is employed by an employer on the effective date of this act, the written election required by subsection (1) of this section must be filed and the payments required by subsection (1)(b) and (c) of this section must be completed in full within one year after the effective date of this act.

(b) In the case of a former member of the public employees' retirement system who is not employed by an employer on the effective date of this act, the written election must be filed and the payments must be completed in full within one year after reemployment by an employer.

(c) In the case of a retiree receiving a retirement allowance from the public employees' retirement system on the effective date of this act or any person having vested rights as described in RCW 41.40.150(3) or (5), the written election may be filed and the payments may be completed at any time.

(3) Upon receipt of the written election and payments required by subsection (1) of this section from any retiree described in subsection (2)(c) of this section, the department shall recompute the retiree's allowance in accordance with this section and shall pay any additional benefit resulting from such recomputation retroactively to the date of retirement from the system governed by this chapter.

Sec. 11. Section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450 are each amended to read as follows:

The required contribution rates to the retirement system for members, employers, and the state of Washington shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

The member, the employer and the state shall each contribute the following shares of the cost of the retirement system:

Member	50%
Employer	30%
State	20%

Any adjustments in contribution rates required from time to time for future costs shall likewise be shared proportionally by the members, employers, and the state: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the state.

Any increase in the contribution rate required as the result of a failure of the state or of an employer to make any contribution required by this section shall be borne in full by the state or by that employer not making the contribution.

The director shall notify (~~the retirement board~~) all employers of any pending adjustment in the required contribution rate and such increase shall be announced (~~at a board meeting held~~) at least thirty days prior to the effective date of the change.

Members' contributions required by this section shall be deducted from the members basic salary each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members, employers of such members, and the state shall each contribute the following percentages of basic salary:

Member	8.14%
Employer	4.88%
State	3.28%

In addition, the state shall initially contribute an additional twenty percent of basic salary per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 12. Section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775 are each amended to read as follows:

The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary: PROVIDED, That the employer contribution shall be contributed as provided in RCW 41.32.401.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify (~~the retirement board~~) all employers of any pending adjustment in the required contribution rate and such increase shall be announced (~~at a board meeting held~~) at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members earnable compensation each payroll period. The members contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends and the employers contribution shall be remitted as provided by law.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.66% of earnable compensation: PROVIDED, That employers shall initially contribute an additional 5.80% of earnable compensation per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 13. Section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650 are each amended to read as follows:

The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify (~~the retirement board~~) all employers of any pending adjustment in the required contribution rate and such increase shall be announced (~~at a board meeting held~~) at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members compensation earnable each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.51% of compensation earnable: PROVIDED, That employers shall initially contribute an additional one and one-half percent of compensation earnable per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 14. Section 13, chapter 274, Laws of 1947 as last amended by section 19, chapter 52, Laws of 1982 1st ex. sess. 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, 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 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)) during such periods of employment; AND PROVIDED FURTHER, That any persons holding or who have held 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 director,)) to be effective during such term or terms of office, and shall be allowed to ((recover or regain)) establish the service credit applicable to such term or terms of office upon payment of the employee contributions therefor by the employer or employee with interest as determined by the director and employer contributions therefor by the employer or employee with interest as determined by the director; 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)) all contributions with interest submitted by the employee under this subsection shall be placed in the employee's individual account in the employee's savings fund and be treated as any other contribution made by the employee, with the exception that any contributions submitted by the employee in payment of the employer's obligation, together with the interest the director may apply to the employer's contribution, shall not be considered part of the member's annuity for any purpose except withdrawal of contributions;~~

(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 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;~~

(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 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;~~

(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 as a member of this system in lieu of becoming a member of the city system. A member who elects to continue as a member of this system shall 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. 15. Section 32, chapter 274, Laws of 1947 as last amended by section 7, chapter 155, Laws of 1965 and RCW 41.40.310 are each amended to read as follows:

Once each year during the first five years following the retirement of a member on a disability pension or retirement allowance, and at least once in every three year period thereafter the retirement board may, and upon the member's application shall, require any disability beneficiary, who has not attained age sixty years, to undergo a medical examination; such examination to be made by or under the direction of the medical adviser at the place of residence of said beneficiary, or other place mutually agreed upon. Should any disability beneficiary, who has not attained age sixty years, refuse to submit to such medical examination in any such period, his disability pension or retirement allowance may be discontinued until his withdrawal of such refusal, and should such refusal continue for one year, all his rights in and to his disability pension, or retirement allowance, may be revoked by the retirement board. If upon such medical examination of a disability beneficiary, the medical adviser reports and his report is concurred in by the retirement board, that the disability beneficiary is no longer totally incapacitated for duty as the result of the injury or illness for which the disability was granted, or that he is engaged in a gainful occupation, his disability pension or retirement allowance shall cease: PROVIDED, That if the disability beneficiary resumes a gainful occupation and his compensation is less than his compensation earnable at the date of disability, the board shall continue the disability benefits in an amount which when added to his compensation does not exceed his compensation earnable at the date of separation, but the disability benefit shall in no event exceed the disability benefit originally awarded: PROVIDED FURTHER, That the compensation earnable at the date of separation is adjusted July 1 of each year by the ratio of the average consumer price index (Seattle, Washington area) for urban consumers, compiled by the United States department of labor, bureau of labor statistics, for the calendar year prior to the adjustment to the average consumer price index for the calendar year in which separation from service occurred but in no event shall the adjustment result in an amount lower than the original compensation earnable at the date of separation.

Sec. 16. Section 9, chapter 163, Laws of 1982 and RCW 41.50.032 are each amended to read as follows:

(1) The director shall assume all powers, duties, and functions of the retirement boards abolished by RCW 2.10.052, 41.26.051, 41.32.015, 41.40.022, and 43.43.142 except as otherwise assigned in this section.

(2) There is hereby created a state advisory committee to the department of retirement systems which shall serve in an advisory capacity to the director of retirement systems. The committee shall consist of twelve members appointed by the governor as provided in this section:

(a) Three active members and one retired member of the public employees' retirement system;

(b) Two active members, one a law enforcement officer and the other a fire fighter, and one retired fire fighter, of the law enforcement officers' and fire fighters' retirement system;

(c) Two active members, one a teacher and the other an administrator, and one retired member of the teachers' retirement system;

(d) One active member of the state patrol retirement system;

(e) One active member of the judicial retirement system.

The active members appointed under subsections (a), (b), (c), and (d) of this subsection shall be selected from a list of three nominees submitted by each organization representing active members. The retired members appointed under subsections (a), (b), and (c) of this subsection shall be selected from a list of three nominees submitted by each organization representing retired members. The member appointed under subsection (e) of this subsection shall be appointed from a list of three nominees submitted by the state supreme court.

Members shall serve staggered three-year terms as determined by the governor. Members shall serve without compensation but shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) The advisory committee shall at its first meeting of each fiscal year elect a chairperson and vice chairperson.

(4) The chairperson shall annually appoint from the committee members a subcommittee for each retirement system covered by this chapter. Each subcommittee shall have one committee member representing the system for which appointed and two other committee members who represent any other system. The subcommittees shall meet upon the call of the director to review all disability appeals cases which have been heard by a hearings examiner. Having considered the ~~((report of the hearings examiner and all other legally pertinent material))~~ hearings examiner's proposed decision, including findings of fact and conclusions of law, and having personally considered the whole record or such portions thereof as may be cited by the parties, the subcommittee shall make a recommendation to the director for the disposition of the appeal.

Sec. 17. Section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210 are each amended to read as follows:

Any person aggrieved by any final decision of the director must, before petitioning for judicial review, file with the director of the retirement system by mail or personally within sixty days from the day such decision was communicated to such person, a notice for a hearing ~~((before the retirement board))~~. The notice of hearing shall set forth in full detail the grounds upon which such person considers such decision unjust or unlawful and shall include every issue to be considered ~~((by the retirement board))~~, and it must contain a detailed statement of facts upon which such person relies in support thereof. Such persons shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in the notice of hearing or appearing in the records of the retirement system.

Sec. 18. Section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220 are each amended to read as follows:

A hearing shall be held by ~~((members of the retirement board, or its))~~ the director, or the director's duly authorized representative(s), in the county of the residence of the claimant at a time and place designated by the ~~((retirement board))~~ director. Such hearing shall be de novo and shall conform to the provisions of chapter 34.04 RCW, as now or hereafter amended. The disability board and the ~~((director))~~ department shall be entitled to appear in all such proceedings and introduce testimony in support of the decision. Judicial review of any final decision by the ~~((retirement board))~~ director shall be governed by the provisions of chapter 34.04 RCW as now law or hereafter amended.

Sec. 19. Section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26.230 are each amended to read as follows:

No bond of any kind shall be required of a claimant appealing to the superior court, the court of appeals, or the supreme court from a ~~((finding))~~ decision of the ~~((retirement board))~~ director affecting such claimant's right to retirement or disability benefits.

Sec. 20. Section 43.01.040, chapter 8, Laws of 1965 as last amended by section 2, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.040 are each amended to read as follows:

Each subordinate officer and employee of the several offices, departments, and institutions of the state government shall be entitled under their contract of employment with the state government to not less than one working day of vacation leave with full pay for each month of employment if said employment is continuous for six months.

Each such subordinate officer and employee shall be entitled under such contract of employment to not less than one additional working day of vacation with full pay each year for satisfactorily completing the first two, three and five continuous years of employment respectively.

Such part time officers or employees of the state government who are employed on a regular schedule of duration of not less than one year shall be entitled under their contract of employment to that fractional part of the vacation leave that the total number of hours of such employment bears to the total number of hours of full time employment.

Each subordinate officer and employee of the several offices, departments and institutions of the state government shall be entitled under his contract of employment with the state government to accrue unused vacation leave not to exceed thirty working days. Officers and

employees transferring within the several offices, departments and institutions of the state government shall be entitled to transfer such accrued vacation leave to each succeeding state office, department or institution. All vacation leave shall be taken at the time convenient to the employing office, department or institution; PROVIDED, That if a subordinate officer's or employee's request for vacation leave is deferred by reason of the convenience of the employing office, department or institution, and a statement of the necessity therefor is filed by such employing office, department or institution with the appropriate personnel board or other state agency or officer, then the aforesaid maximum thirty working days of accrued unused vacation leave shall be extended for each month said leave is so deferred. ~~((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 the case of death; PROVIDED, That agencies or departments of the state shall provide a method whereby all accumulated vacation leave may be taken as vacation leave.))~~

Sec. 21. Section 43.01.041, chapter 8, Laws of 1965 as amended by section 3, chapter 51, Laws of 1982 1st ex. sess. 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 retirement, and who have accrued vacation leave as specified in RCW 43.01.040, shall ((have such accrued vacation leave)) be paid ((to)) therefor under their contract of employment, or their estate if they are deceased, or if the employee in case of voluntary resignation has provided adequate notice of termination.

NEW SECTION. Sec. 22. Section 1, chapter 51, Laws of 1982 1st ex. sess. and RCW 41.04.345 are each repealed.

NEW SECTION. Sec. 23. (1) It is the purpose of sections 24 through 29 of this act to govern the retirement rights of persons whose employment status is altered when: (a) Two or more units of local government of this state, at least one of which is a first class city with its own retirement system, enter into an agreement for the consolidated performance of a governmental service, activity, or undertaking; (b) the service, activity, or undertaking is to be performed either by one of the participating local governmental units or by a newly established separate legal entity; and (c) the employees of the participating local governmental units are not all members of the same Washington public retirement system.

Sections 24 through 29 of this act are not intended to and do not govern retirement rights of any members of the retirement systems established by chapter 41.16, 41.18, 41.20, or 41.26 RCW, or of employees described in RCW 35.58.265, 35.58.390, or 70.08.070. To the extent there is any conflict between sections 24 through 29 of this act and RCW 41.04.110, the provisions of sections 24 through 29 of this act shall govern.

NEW SECTION. Sec. 24. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 23 through 29 of this act.

(1) 'Legal entity' means any political subdivision or municipal corporation of the state, including but not limited to public agencies created under RCW 35.63.070, 36.70.060, or 39.34.030.

(2) 'Consolidated employer' means the legal entity assigned by agreement to perform a governmental service, activity, or undertaking for two or more units of local government of the state, at least one of which is a first class city with its own retirement system.

(3) 'Existing employee' means a person who both (a) becomes employed by the consolidated employer within one year after the consolidation and (b) was employed by one of the combining legal entities at the time of the consolidation.

(4) 'New employee' means an employee of the consolidated employer who is not an existing employee.

(5) 'Active member' means a member of a retirement system who was making contributions to that retirement system at the time of the consolidation.

NEW SECTION. Sec. 25. If a consolidated employer is a participating member in the public employees' retirement system under chapter 41.40 RCW prior to the consolidation:

(1) All existing employees of the consolidated employer who are active members of the public employees' retirement system immediately prior to the consolidation shall continue to be members of that retirement system while employed by the consolidated employer.

(2) All existing employees of the consolidated employer who are active members of a first class city retirement system under chapter 41.28 RCW immediately prior to the consolidation shall cease to be members of that system at the time of the consolidation and, if eligible, shall immediately become members of the public employees' retirement system. However, any such active member may, by a writing filed with the consolidated employer within thirty days after the consolidation or within thirty days after the effective date of this act, whichever is later, irrevocably elect instead to continue to be a member of the first class city retirement system, thereby forever waiving any rights under the public employees' retirement system based upon employment with the consolidated employer.

(3) Only prospective periods of qualifying service under the public employees' retirement system may be established under this section.

NEW SECTION. Sec. 26. If a consolidated employer is a city operating a first class city retirement system under chapter 41.28 RCW prior to the consolidation:

(1) All existing employees of the consolidated employer who are active members of the first class city retirement system immediately prior to the consolidation shall continue to be members of that retirement system while employed by the consolidated employer.

(2) All existing employees of the consolidated employer who are active members of the public employees' retirement system under chapter 41.40 RCW immediately prior to the consolidation shall cease to be members of that system at the time of the consolidation and, if eligible, shall immediately become members of the first class city retirement system. However, any such active member may, by a writing filed with the consolidated employer within thirty days after the consolidation or within thirty days after the effective date of this act, whichever is later, irrevocably elect instead to continue to be a member of the public employees' retirement system, thereby forever waiving any rights under the first class city retirement system based upon such employment with the consolidated employer.

(3) Only prospective periods of qualifying service under the first class city retirement system may be established under this section.

NEW SECTION. Sec. 27. If a consolidated employer is a newly created legal entity and does not immediately join the public employees' retirement system pursuant to RCW 41.40.410:

(1) All existing employees of the consolidated employer who are active members of a first class city retirement system or the public employees' retirement system immediately prior to the consolidation shall cease to be members of these systems. However, any such active members may, by a writing filed with the consolidated employer within thirty days after the consolidation or within thirty days after the effective date of this act, whichever is later, irrevocably elect instead to continue as members of the retirement system to which they belonged at the time of the consolidation for all periods of employment with the consolidated employer.

(2) If the consolidated employer later joins the public employees' retirement system, all existing employees still employed on that date shall, effective from that date, have the same retirement system rights and options, subject to the same conditions as employees governed by section 25 of this act, notwithstanding any previous election under subsection (1) of this section.

(3) No new employees of the consolidated employer may become members of an employer-sponsored retirement system until such time as the employer joins the public employees' retirement system pursuant to RCW 41.40.410.

NEW SECTION. Sec. 28. Notwithstanding any provision of section 25, 26, or 27 of this act:

(1) No person may simultaneously accrue any contractual rights whatsoever in more than one Washington public retirement system as a consequence of employment by a consolidated employer.

(2) No person who makes a written election permitted by section 25, 26, or 27 of this act may receive a retirement allowance from such retirement system under any circumstances while employed or reemployed by the consolidated employer.

(3) No person may accrue any benefits or rights under any Washington public retirement system as a result of section 25, 26, or 27 of this act except such rights of continuing membership that are specifically and explicitly granted by section 25, 26, or 27 of this act.

(4) Nothing in sections 23 through 28 of this act is intended to constitute an amendment or waiver of any law or rule of any Washington public retirement system, including but not limited to those governing eligibility for service credit, benefits, or membership, except to broaden the class of legal entities that are deemed to be participating employers in the retirement systems in the specific circumstances stated in sections 25, 26, and 27 of this act.

NEW SECTION. Sec. 29. (1) Consolidated employers that employ persons governed by section 25, 26, or 27 of this act shall comply with all laws and rules governing the retirement system in which the persons participate as members, including but not limited to the obligations to make employer contributions, to deduct and transmit employee contributions, and to submit required reports.

(2) Sections 25, 26, 27, and 28 of this act govern any consolidation occurring on or after December 31, 1981.

NEW SECTION. Sec. 30. Sections 23 through 29 of this act are each added to chapter 41.04 RCW.

NEW SECTION. Sec. 31. (1) There is appropriated for the biennium ending June 30, 1985, from the state general fund to the public employees' retirement system fund the sum of two hundred ten thousand dollars, or so much thereof as may be necessary, to carry out the purposes of section 10 of this act.

(2) There is appropriated to the department of retirement systems for the biennium ending June 30, 1985, from the department of retirement systems expense fund the sum of fifty-five thousand dollars, or so much thereof as may be necessary, to carry out the administration of this act.

NEW SECTION. Sec. 32. 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. 33. 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 "service;" strike the remainder of the title and insert "amending, section 57, chapter 80, Laws of 1947 as last amended by section 5, chapter 151, Laws of 1967 and RCW 41.32.570; amending section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450; amending section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775; amending section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650; amending section 13, chapter 274, Laws of 1947 as last amended by section 19, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.120; amending section 32, chapter 274, Laws of 1947 as last amended by section 7, chapter 155, Laws of 1965 and RCW 41.40.310; amending section 9, chapter 163, Laws of 1982 and RCW 41.50.032; amending section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210; amending section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220; amending section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26.230; amending section 43.01.040, chapter 8, Laws of 1965 as last amended by section 2, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.040; amending section 43.01.041, chapter 8, Laws of 1965 as amended by section 3, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.041; adding a new section to chapter 2.10 RCW; adding a new section to chapter 2.12 RCW; adding new sections to chapter 41.04 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; adding new sections to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 43.43 RCW; repealing section 2, chapter 10, Laws of 1982 1st ex. sess. and RCW 41.32.4985; repealing section 34, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.187; repealing section 1, chapter 51, Laws of 1982 1st ex. sess. and RCW 41.04.345; making appropriations; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Monohon moved that the House do not concur in the Senate amendments to Substitute House Bill No. 843, and ask the Senate to recede therefrom.

Representatives Monohon and Cantu spoke in favor of the motion, and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1127 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A system of sewerage, system of water or combined water and sewerage systems operated by a county under the authority of this chapter may be transferred from that county to a water or sewer district in the same manner as is provided for the transfer of those functions from a water or sewer district to a county in RCW 36.94.310 through 36.94.340.

NEW SECTION. Sec. 2. If so provided in the transfer agreement, the area served by the system shall, upon completion of the transfer, be deemed annexed to and become a part of the water or sewer district acquiring the system. The county shall provide notice of the hearing by the county legislative authority on the ordinance executing the transfer agreement under RCW 36.94.330 as follows: (1) By mailed notice to all ratepayers served by the system at least fifteen days prior to the hearing; and (2) by notice in a newspaper of general circulation once at least fifteen days prior to the hearing.

NEW SECTION. Sec. 3. The provisions of sections 1 and 2 of this act provide an alternative method of accomplishing the transfer permitted by those sections and do not impose additional conditions upon the exercise of powers vested in water and sewer districts and counties.

NEW SECTION. Sec. 4. If the superior court finds that the transfer agreement authorized by section 1 of this act is legally correct and that the interests of the owners of related indebtedness are protected, then the court by decree shall direct that the transfer be accomplished in accordance with the agreement.

NEW SECTION. Sec. 5. There is added to chapter 36.93 RCW a new section to read as follows:

Annexations of territory to a water or sewer district pursuant to sections 1 through 4 of this act shall not be reviewed by a boundary review board.

Sec. 6. Section 1, chapter 119, Laws of 1969 and RCW 56.08.015 are each amended to read as follows:

Any sewer district heretofore or hereafter organized and existing may apply to change its name by filing with ~~((the board of county commissioners of))~~ the county legislative authority in which was filed the original petition for the organization of the district, a certified copy of a resolution of its board of commissioners adopted by the majority vote of all the members of

said board at a regular meeting thereof providing for such change of name. ((The new name shall reflect the service offered by the sewer district.)) After approval of the new name by the county ((commissioners)) legislative authority, all proceedings of such district shall be had under such changed name, but all existing obligations and contracts of the district entered into under its former name shall remain outstanding without change and with the validity thereof unimpaired and unaffected by such change of name, and a change of name heretofore made by any existing sewer district in this state, substantially in the manner above provided is hereby ratified, confirmed and validated.

NEW SECTION. Sec. 7. There is added to chapter 114, Laws of 1929 and to chapter 57.04 RCW a new section to read as follows:

Any water district heretofore or hereafter organized and existing may apply to change its name by filing with the county legislative authority in which was filed the original petition for organization of the district, a certified copy of a resolution of its board of commissioners adopted by majority vote of all of the members of said board at a regular meeting thereof providing for such change of name. After approval of the new name by the county legislative authority, all proceedings for such districts shall be had under such changed name, but all existing obligations and contracts of the district entered into under its former name shall remain outstanding without change and with the validity thereof unimpaired and unaffected by such change of name, and the change of name heretofore made by any existing water district in this state, substantially in the manner above approved is hereby ratified, confirmed, and validated.

NEW SECTION. Sec. 8. Sections 1 through 4 of this act are each added to chapter 36.94 RCW."

On page 1, on line 2 of the title, after "corporation;" insert "amending section 1, chapter 119, Laws of 1969 and RCW 56.08.015; adding a new section to chapter 114, Laws of 1929 and to chapter 57.04 RCW; adding a new section to chapter 36.93 RCW; and adding new sections to chapter 36.94 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Moon, the House concurred in the Senate amendments to Substitute House Bill No. 1127.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1127 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

Substitute House Bill No. 1127 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1135 with the following amendment:

On page 2, line 2 after "attempts" strike everything through "attempts," on line 3 and insert "and the buyer has notified the manufacturer at least once in writing, the manufacturer shall" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to House Bill No. 1135.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of House Bill No. 1135 as amended by the Senate.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1135 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

House Bill No. 1135 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1164 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 134, Laws of 1969 ex. sess. as amended by section 1, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.010 are each amended to read as follows:

The legislature finds:

(1) Continuing technological changes in methods of manufacture, packaging, and marketing of consumer products, together with the economic and population growth of this state, the rising affluence of its citizens, and its expanding industrial activity have created new and ever-mounting problems involving disposal of garbage, refuse, and solid waste materials resulting from domestic, agricultural, and industrial activities.

(2) Traditional methods of disposing of solid wastes in this state are no longer adequate to meet the ever-increasing problem. Improper methods and practices of handling and disposal of solid wastes pollute our land, air and water resources, blight our countryside, adversely affect land values, and damage the overall quality of our environment.

(3) Considerations of natural resource limitations, energy shortages, economics and the environment make necessary the development and implementation of solid waste recovery and/or recycling plans and programs.

(4) The following priorities in the management of solid waste are necessary and should be followed in order of descending priority as applicable:

(a) Waste reduction;

(b) Waste recycling;

(c) Energy recovery or incineration; and

(d) Landfill.

Sec. 2. Section 3, chapter 134, Laws of 1969 ex. sess. as last amended by section 3, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.030 are each amended to read as follows:

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

(1) 'City' means every incorporated city and town.

(2) 'Committee' means the solid waste advisory committee.

(3) 'Department' means the department of ecology.

(4) 'Director' means the director of the department of ecology.

(5) 'Disposal site' means the location where any final treatment, utilization, processing, or deposit of solid waste occurs.

(6) 'Functional standards' means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.

(7) 'Jurisdictional health department' means city, county, city-county, or district public health department.

(8) 'Person' means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

(9) 'Solid waste' means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities.

(10) 'Solid waste handling' means the management, storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof.

(11) 'Waste reduction' means reducing the amount or type of waste generated.

(12) 'Waste recycling' means reusing waste materials and extracting valuable materials from a waste stream.

(13) 'Energy recovery or incineration' means reducing the volume of wastes by use of an enclosed device using controlled flame combustion.

(14) 'Landfill' means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility.

Sec. 3. Section 6, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.060 are each amended to read as follows:

The department in accordance with procedures prescribed by the Administrative Procedure Act, chapter 34.04 RCW, as now or hereafter amended, ~~((may)) shall adopt ((such))~~ minimum functional standards for solid waste handling ~~((as it deems appropriate))~~. These standards shall be designed to use the best available technology to protect the environment and human health, and shall be revised periodically to reflect new technology and information. Any such standards shall be reviewed and approved by the solid waste advisory committee established pursuant to RCW 70.95.040 during their promulgation and prior to their adoption. The department in adopting such standards may classify areas of the state with respect to population density, climate, geology, and other relevant factors bearing on solid waste ~~((disposal)) handling~~ standards.

NEW SECTION. Sec. 4. There is added to chapter 70.95 RCW a new section to read as follows:

(1) Each county or city siting a solid waste disposal facility shall review each potential site for conformance with the standards as set by the department for:

- (a) Geology;
- (b) Ground water;
- (c) Soil;
- (d) Flooding;
- (e) Surface water;
- (f) Slope;
- (g) Cover material;
- (h) Capacity;
- (i) Climatic factors;
- (j) Land use;
- (k) Toxic air emissions; and
- (l) Other factors as determined by the department.

(2) The standards in subsection (1) of this section shall be designed to use the best available technology to protect the environment and human health, and shall be revised periodically to reflect new technology and information.

(3) Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of up to nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under chapter 43.99F RCW, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee.

Sec. 5. Section 9, chapter 134, Laws of 1969 ex. sess. as amended by section 1, chapter 293, Laws of 1971 ex. sess. and RCW 70.95.090 are each amended to read as follows:

Each county and city solid waste management plan shall include the following:

(1) A detailed inventory and description of all existing solid waste handling facilities including an inventory of any deficiencies in meeting current solid waste handling needs.

(2) The estimated long-range needs for solid waste handling facilities projected twenty years into the future.

(3) A program for the orderly development of solid waste handling facilities in a manner consistent with the plans for the entire county which shall:

(a) Meet the minimum functional standards for solid waste handling adopted by the department and all laws and regulations relating to air and water pollution, fire prevention, flood control, and protection of public health;

(b) Take into account the comprehensive land use plan of each jurisdiction;

(c) Contain a six year construction and capital acquisition program for solid waste handling facilities; and

(d) Contain a plan for financing both capital costs and operational expenditures of the proposed solid waste management system.

(4) A program for surveillance and control.

(5) A current inventory and description of solid waste collection needs and operations within each respective jurisdiction which shall include:

(a) Any franchise for solid waste collection granted by the utilities and transportation commission in the respective jurisdictions including the name of the holder of the franchise and the address of his place of business and the area covered by his operation;

(b) Any city solid waste operation within the county and the boundaries of such operation;

(c) The population density of each area serviced by a city operation or by a franchised operation within the respective jurisdictions;

(d) The projected solid waste collection needs for the respective jurisdictions for the next six years.

(6) A review of potential areas that meet the criteria as outlined in section 4 of this 1984 act.

Sec. 6. Section 10, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.100 are each amended to read as follows:

The department shall provide to counties and cities technical assistance in the preparation, review, and revision of solid waste management plans required by this chapter. Each comprehensive county solid waste management plan shall be submitted to the department for technical review and approval. The department may recommend revisions essential to the achievement of effective solid waste management and the purposes of this chapter.

Sec. 7. Section 11, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.110 are each amended to read as follows:

The comprehensive county solid waste ~~((handling))~~ management plans and any city solid waste ~~((handling))~~ management plans prepared in accordance with RCW 70.95.080 shall be maintained in a current condition and reviewed and revised periodically by counties and cities as may be required by the department ~~((of environmental quality))~~. Upon each review such plans shall be extended to show long-range needs for solid waste handling facilities for twenty years in the future, and a revised construction and capital acquisition program for six years in the future. Each revised solid waste ~~((handling))~~ management plan shall be submitted to the department ~~((of environmental quality))~~.

Each plan shall be reviewed and revised within five years of the effective date of this 1984 act, and thereafter shall be reviewed, and revised if necessary, at least once every five years.

NEW SECTION. Sec. 8. There is added to chapter 70.95 RCW to be codified between RCW 70.95.180 and 70.95.190 a new section to read as follows:

Every permit issued by a jurisdictional health department under RCW 70.95.180 shall be reviewed by the department to ensure that the proposed site or facility conforms with:

(1) All applicable laws and regulations including the minimal functional standards for solid waste handling; and

(2) The approved comprehensive solid waste management plan.

The department shall review the permit within thirty days after the issuance of the permit by the jurisdictional health department. The department may appeal the issuance of the permit by the jurisdictional health department to the pollution control hearings board, as described in chapter 43.21B RCW, for noncompliance with subsection (1) or (2) of this section.

No permit issued pursuant to RCW 70.95.180 after the effective date of this act shall be considered valid unless it has been reviewed by the department.

Sec. 9. Section 19, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.190 are each amended to read as follows:

Every permit for a solid waste disposal site shall be renewed annually on a date to be established by the jurisdictional health department having jurisdiction of the site. Prior to renewing a permit, the health department shall conduct such inspections as it deems necessary to assure that the solid waste disposal site and facilities located on the site meet minimum functional standards of the department ~~((of environmental quality and))~~, applicable local regulations, and are not in conflict with the approved solid waste management plan. The department shall review and may appeal the renewal as set forth for the approval of permits in section 8 of this 1984 act.

A renewal issued under this section shall not be considered valid unless it has been reviewed by the department.

NEW SECTION. Sec. 10. There is added to chapter 70.95 RCW a new section to read as follows:

The department is authorized to use funds under chapter 43.99F RCW to disburse to local governments in developing solid waste recovery or recycling projects. Priority shall be given

to those projects that use incineration of solid waste to produce energy and to recycling projects.

NEW SECTION. Sec. 11. Section 12, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.120 are each repealed."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Rust, the House concurred in the Senate amendment to Substitute House Bill No. 1164.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1164 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1164 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

Substitute House Bill No. 1164 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1213 with the following amendment:

On page 40, line 9 after "RCW" strike "11.98.070" and insert "11.98.019" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to Substitute House Bill No. 1213.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1213 as amended by the Senate.

Representative Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1213 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van

Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

Substitute House Bill No. 1213 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1248 with the following amendments:

On page 4, after line 22 insert the following:

"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 10 of the title after "34.04.150;" strike "and"

On page 1, line 11 of the title after "RCW" insert "; and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Vekich moved that the House do concur in the Senate amendments to House bill No. 1248.

Representatives Vekich and Hankins spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of House Bill No. 1248 as amended by the Senate.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1248 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

House Bill No. 1248 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1282 with the following amendments:

On page 6, line 31 strike "gross"

On page 6, line 32 strike "gross"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Pruitt, the House concurred in the Senate amendments to Substitute House Bill No. 1282.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1282 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1282 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Fisher, Moon - 2.

Excused: Representatives Isaacson, King R, Niemi - 3.

Substitute House Bill No. 1282 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1413 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 81.04.130, chapter 14, Laws of 1961 and RCW 81.04.130 are each amended to read as follows:

Whenever any public service company ~~((shall))~~, other than a railroad company, files with the commission any schedule, classification, rule, or regulation, the effect of which is to change any rate, fare, charge, rental, or toll ~~((theretofore))~~ previously charged, the commission ~~((shall have))~~ has power, either upon its own motion or upon complaint, upon notice, to ~~((enter upon))~~ hold a hearing concerning ~~((such))~~ the proposed change and the reasonableness and justness ~~((thereof, and))~~ of it. Pending ~~((such))~~ the hearing and the decision ~~((thereon))~~ the commission may suspend the operation of ~~((such))~~ the rate, fare, charge, rental, or toll, if ~~((such))~~ the change is proposed by a common carrier subject to the jurisdiction of the commission, for a period not exceeding seven months, and, if proposed by a public service company other than such a common carrier, for a period not exceeding ten months from the time the ~~((same))~~ change would otherwise go into effect~~((and))~~. After a full hearing the commission may make such order in reference ~~((thereto))~~ to the change as would be provided in a hearing initiated after the ~~((same))~~ change had become effective.

At any hearing involving any change in any schedule, classification, rule, or regulation the effect of which is to increase any rate, fare, charge, rental, or toll theretofore charged, the burden of proof to show that such increase is just and reasonable ~~((shall be))~~ is upon the public service company~~((PROVIDED, HOWEVER, That))~~. When any common carrier subject to the jurisdiction of the commission ~~((shall))~~ files any tariff, classification, rule, or regulation the effect of which is to decrease any rate, fare, or charge, the burden of proof to show that such decrease is just and reasonable ~~((shall be))~~ is upon ~~((such))~~ the common carrier.

Sec. 2. Section 81.04.150, chapter 14, Laws of 1961 and RCW 81.04.150 are each amended to read as follows:

Whenever the commission ~~((shall))~~ finds, after hearing had upon its own motion or upon complaint as ~~((herein))~~ provided in this chapter, that any rate, toll, rental, or charge ~~((which))~~ that has been the subject of complaint and inquiry is sufficiently remunerative to the public service company, other than a railroad company, affected ~~((thereby))~~ by it, the commission may order that ~~((such))~~ the rate, toll, rental, or charge shall not be changed, altered, abrogated, or discontinued, nor shall there be any change in the classification ~~((which))~~ that will change or alter ~~((such))~~ the rate, toll, rental, or charge without first obtaining the consent of the commission authorizing ~~((such))~~ the change to be made.

Sec. 3. Section 81.04.250, chapter 14, Laws of 1961 and RCW 81.04.250 are each amended to read as follows:

The commission ~~((shall have))~~ has the power upon complaint or upon its own motion to prescribe and authorize just and reasonable rates for the transportation of persons or property by carriers ~~other than railroad companies~~, and shall exercise ~~((such))~~ that power whenever and as often as it ~~((shall))~~ deems necessary or proper. The commission shall, before any hearing is had upon ~~((such))~~ the complaint or motion, notify the complainants and the carrier concerned of the time and place of ~~((such))~~ the hearing by giving at least ten days' written notice thereof, specifying that at the time and place designated a hearing will be held for the purpose of prescribing and authorizing ~~((such))~~ the rates~~(-which))~~. The notice ~~((shall be))~~ is sufficient to authorize the commission to inquire into and pass upon the matters designated in this section.

In exercising ~~((its aforesaid))~~ this power the commission may use any standard, formula, method, or theory of valuation reasonably calculated to arrive at the objective of prescribing and authorizing just and reasonable rates.

In the exercise of ~~((said))~~ this power the commission may ~~((in its discretion))~~ give consideration, in ~~((lieu of))~~ addition to other factors, to the following:

- (1) To the effect of ~~((such))~~ the rates upon movement of traffic by ~~((such))~~ the carriers;
- (2) To the public need for adequate transportation facilities, equipment, and service at the lowest level of charges consistent with the provision, maintenance, and renewal of ~~((such))~~ the facilities, equipment and service; and
- (3) To the carrier need for revenue of a level ~~((which))~~ that under honest, efficient, and economical management is sufficient to cover the cost (including all operating expenses, depreciation accruals, rents, and taxes of every kind) of providing adequate transportation service, plus an amount equal to ~~((such))~~ the percentage of ~~((said))~~ that cost as ~~((shall be))~~ is reasonably necessary for the provision, maintenance, and renewal of ~~((said))~~ the transportation facilities or equipment and a reasonable profit to the carrier. The relation of carrier expenses to carrier revenues may be deemed the proper test of a reasonable profit.

This section does not apply to railroad companies, which shall be regulated in this regard by sections 10 through 20 of this act and rules adopted thereunder.

Sec. 4. Section 81.28.040, chapter 14, Laws of 1961 and RCW 81.28.040 are each amended to read as follows:

Every common carrier shall file with the commission and shall print and keep open ~~((to the))~~ for public inspection, schedules showing the rates, fares, charges, and classification for the transportation of persons and property within the state between each point upon ~~((the))~~ the carrier's route and all other points thereon; and between each point upon its route and all points upon every route leased, operated, or controlled by it; and between each point on its route or upon any route leased, operated, or controlled by it and all points upon the route of any other common carrier, whenever a through route and joint rate ~~((shall))~~ have been established or ordered between any two such points. If no joint rate over a through route has been established, the several carriers participating in ~~((such))~~ the through route shall file, print, and keep open ~~((to the))~~ for public inspection, ~~((as aforesaid))~~ the separately established rates, fares, charges, and classifications~~(-applied))~~ that apply to the through transportation. The schedules printed ~~((as aforesaid))~~ shall plainly state the places between which property and persons will be carried, ~~((and))~~ shall also contain classification of passengers or property in force, and shall also state separately all terminal charges, storage charges, icing charges, and all other charges ~~((which))~~ that the commission may require to be stated, all privileges or facilities granted or allowed, and any rules or regulations ~~((which))~~ that may in ~~((anywise))~~ any way change, affect, or determine any part, or the aggregate of, such ~~((aforesaid))~~ rates, fares, and charges, or the value of the service rendered to the passenger, shipper, or consignee. ~~((Such))~~ The schedule shall be plainly printed in large type, and a copy ~~((thereof))~~ of it shall be kept by every ~~((such))~~ carrier readily accessible to ~~((and for))~~ inspection by the public in every station or office of ~~((such))~~ the carrier where passengers or property are respectively received for transportation, when ~~((such))~~ the station or office is in charge of any agent~~(-and in every station or office of such carrier where passenger tickets for transportation or tickets covering sleeping or parlor car or other train accommodation are sold or bills of lading or receipts for property are issued))~~. All or any of ~~((such))~~ the schedules kept as ~~((aforesaid))~~ provided in this section shall be immediately produced by ~~((such))~~ the carrier for inspection upon the demand of any person. A notice printed in bold type and stating that ~~((such))~~ the schedules are on file with the agent and open to inspection by any person and that the agent will assist any ~~((such))~~ person to determine from ~~((such))~~ the schedules any transportation rates or fares or rules or regulations ~~((which))~~ that are in force shall be kept posted by the carrier in two public and conspicuous places in every such station or office. The form of ~~((every such))~~ each schedule shall be prescribed by the commission ~~((and shall conform in the case of railroad companies as nearly as may be to the form of schedules required by the interstate commerce commission under the act of congress entitled "An act to regulate commerce," approved February 4, 1887, and the acts amendatory thereof and supplementary thereto))~~.

The commission ~~((shall have))~~ has power, from time to time, ~~((in its discretion,))~~ to determine and prescribe by order such changes in the form of ~~((such))~~ the schedules as may be found expedient, and to modify the requirements of this section in respect to publishing, posting, and filing of schedules either in particular instances or by general rule or order applicable to special or peculiar circumstances or conditions.

The commission may, in its discretion, suspend the operation of this section in whole or in part as applied to vessels engaged in jobbing business not operating on regular routes. This section does not apply to rail transportation contracts regulated by section 16 of this act or to railroad services or transactions exempted under section 20 of this act.

Sec. 5. Section 81.28.050, chapter 14, Laws of 1961 as amended by section 1, chapter 116, Laws of 1981 and RCW 81.28.050 are each amended to read as follows:

Unless the commission otherwise orders, no change ~~((shall))~~ may be made in any classification, rate, fare, charge, rule, or regulation filed and published by a common carrier other than a rail carrier, except after thirty days' notice to the commission and to the public. The notice shall be published as provided in RCW 81.28.040 ~~((which))~~ and shall plainly state the changes proposed to be made in the schedule then in force~~((;))~~ and the time when the changed rate, classification, fare, or charge will go into effect~~((-and))~~. All proposed changes shall be shown by printing, filing, and publishing new schedules or shall be plainly indicated upon the schedules in force at the time and kept open to public inspection. In the case of a change proposed by a rail carrier, except for changes to rail contracts between a rail carrier and a shipper authorized under section 16 of this act, which changes become effective in accordance with that section, a proposal resulting in a rate increase or a new rate shall not become effective for twenty days after the notice is published, and a proposal resulting in a rate decrease shall not become effective for ten days after the notice is published. The commission, for good cause shown, may by order allow changes in rates without requiring the notice and the publication time periods specified in this section. When any change is made in any rate, fare, charge, classification, rule, or regulation, attention shall be directed to ~~((such))~~ the change by some character on the schedule~~((-such))~~. The character and its placement ~~((to))~~ shall be designated by the commission. The commission may, by order, for good cause shown, allow changes in any rate, fare, charge, classification, rule, or regulation without requiring any character to indicate each and every change to be made.

Sec. 6. Section 81.28.180, chapter 14, Laws of 1961 and RCW 81.28.180 are each amended to read as follows:

~~((No))~~ A common carrier shall not, directly or indirectly, by any special rate, rebate, drawback, or other device or method, charge, demand, collect, or receive from any person or corporation a greater or lesser compensation for any service rendered or to be rendered in the transportation of persons or property, except as authorized in this title, than it charges, demands, collects, or receives from any person or corporation for doing a like and contemporaneous service in the transportation of a like kind of traffic under the same or substantially similar circumstances and conditions. This section does not apply to railroad companies, which shall be regulated in this regard by sections 10 through 20 of this act and rules adopted thereunder.

Sec. 7. Section 81.28.190, chapter 14, Laws of 1961 and RCW 81.28.190 are each amended to read as follows:

~~((No))~~ A common carrier shall not make or give any undue or unreasonable preference or advantage to any person or corporation or to any locality or to any particular description of traffic in any respect whatsoever, or subject any particular person or corporation or locality or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever. This section does not apply to railroad companies, which shall be regulated in this regard by sections 10 through 20 of this act and rules adopted thereunder.

Sec. 8. Section 81.28.200, chapter 14, Laws of 1961 and RCW 81.28.200 are each amended to read as follows:

~~((No))~~ A common carrier~~((;))~~ subject to the provisions of this title~~((;))~~ shall not charge or receive any greater compensation in the aggregate for the transportation of persons or of a like kind of property, for a shorter than for a longer distance over the same line in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through rate than the aggregate of the intermediate rates, subject to the provisions of this title~~((-but))~~. This shall not be construed as authorizing any such common carrier to charge and receive as great a compensation for a shorter as for a longer distance or haul. Upon application of a common carrier the commission may by order authorize it to charge less for a longer than for a shorter distance for the transportation of persons or property in special cases after investigation by the commission, but the order must specify and prescribe the extent to which the common carrier making ~~((such))~~ the application is relieved from the operation of this section~~((-and))~~. Only to the extent so specified and prescribed ~~((shall))~~ is any common carrier ~~((be))~~ relieved from the operation and requirements of this section. This section does not apply to railroad companies, which shall be regulated in this regard by sections 10 through 20 of this act and rules adopted thereunder.

Sec. 9. Section 81.28.230, chapter 14, Laws of 1961 and RCW 81.28.230 are each amended to read as follows:

Whenever the commission ~~((shall))~~ finds, after a hearing had upon its own motion or upon complaint, as ~~((herein))~~ provided in this chapter, that the rates, fares, or charges demanded, exacted, charged, or collected by any common carrier for the transportation of persons or property within the state or in connection therewith, or that the regulations or practices of ~~((such))~~ the common carrier affecting ~~((such))~~ those rates are unjust, unreasonable, unjustly discriminatory, or unduly preferential, or in ~~((anywise))~~ any way are in violation of the provisions of law, or that ~~((such))~~ the rates, fares, or charges are insufficient to yield a reasonable compensation for the service rendered, the commission shall determine and fix by order the just, reasonable, or sufficient rates, fares, or charges, or the regulations or practices to be thereafter observed and enforced ~~((and shall fix the same by order))~~. This section does not apply to railroad companies, which shall be regulated in this regard by sections 10 through 20 of this act and rules adopted thereunder.

NEW SECTION. Sec. 10. In determining whether a rate established by a railroad company is reasonable for purposes of this title, the commission shall follow the Interstate Commerce Commission policy, which provides that railroad companies shall earn adequate revenues. Further, in regulating railroad company rates under this title, the commission has no jurisdiction over general rate increases, inflation-based rate adjustments, or fuel adjustment surcharges approved by the Interstate Commerce Commission.

NEW SECTION. Sec. 11. The commission shall exercise the authority granted under this chapter to regulate railroads in a manner consistent with the Interstate Commerce Act and in a manner that allows the state of Washington to continue to regulate railroad rates to the maximum extent allowable under federal law and to be certified, in accordance with 49 U.S.C. Sec. 10501 by the federal government to continue such regulation. In compliance with this chapter, the commission, in addition to such other procedures as it may establish, shall administer and follow the provisions of this chapter as nearly as practicable in accordance with the statutes, regulations, and decisions construing federal law.

NEW SECTION. Sec. 12. The commission shall use the standards and procedures established in this chapter to determine reasonableness when acting upon any complaint or protest or in any proceeding concerning any railroad's rate or a classification, rule, or practice related to a rate subject to regulation under this chapter. The commission shall adopt rules relating to the determination of market dominance. The rules shall allow rate increases, not subject to suspension, if the rail carrier proposing the increase is found by the commission not to have market dominance. Market dominance is defined as an absence of effective competition from other carriers or modes of transportation for the transportation to which a rate applies.

When a rate for transportation by a rail carrier is challenged as being unreasonably high, the commission shall not make such a finding until it has determined that there is market dominance and that the rate exceeds a maximum reasonable level for the transportation to which the rate applies. A finding of market dominance does not presumptively establish that the proposed rate exceeds a reasonable maximum.

NEW SECTION. Sec. 13. (1) A railroad company subject to the jurisdiction of the commission may not charge or receive from a person a different compensation by using a special rate, rebate, drawback, or other means, for a service rendered, or to be rendered, than it charges or receives from another person for performing a like or contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances. A railroad company that charges or receives such a different compensation for that service engages in unreasonable discrimination.

(2) A railroad company providing transportation or service subject to the jurisdiction of the commission may not subject a person, place, port, or type of traffic to unreasonable discrimination.

(3) Differences of rates, classifications, rules, and practices of railroad companies subject to the jurisdiction of the commission do not constitute a violation of this section if the differences result from different services provided by rail carriers.

(4) This section does not apply to: (a) Contracts approved under sections 16 and 17 of this act; (b) surcharges or cancellations authorized by the Interstate Commerce Commission; (c) separate rates for distinct rail services; (d) rail rates applicable to different routes; or (e) expenses authorized under 49 U.S.C. Sec. 10751 by the Interstate Commerce Commission, except that with respect to rates described in (b), (c), and (d) of this subsection, nothing in this subsection affects the commission's authority under this section with respect to rate relationships between ports or within the same port.

NEW SECTION. Sec. 14. The commission may suspend the filing of a schedule, classification, rule, or regulation by a railroad company only upon complaint and only when it is determined that: (1) It is substantially likely that the protesting party will prevail on the merits; (2) without suspension the proposed change will cause substantial injury to the protesting party; (3) and because of the peculiar economic circumstances of the protesting party the provisions requiring refund of moneys in excess of amounts found to be reasonable do not protect the protesting party.

The suspension period for a proceeding to determine the reasonableness of a filing by a railroad company shall not exceed five months. If the commission has not reached a final decision at the end of the fifth month after the schedule, classification, rule, or regulation was to become effective, it shall, if suspended take effect, and if in effect, remain in effect and not be subject to suspension. If a suspension is not ordered, but an investigation is instituted, the commission shall require the railroad to account for all amounts received under the increase until final determination is made and the proceeding is completed. The accounting shall specify by whom and for whom the amounts are paid. When the commission makes its final determination, it shall require the carrier to refund to the person for whom the amounts were paid that part of the increased rate found to be unreasonable, plus interest. If a rate is suspended and any portion of the rate is later found to be reasonable, the carrier shall collect from each person using the transportation to which the rate applies the difference between the original rate and the portion of the suspended rate found to be reasonable for any services during the period of suspension, plus interest. Interest, if required, shall be paid at a rate equal to the average yield, on the date the statement is filed, of marketable securities of the federal government having a duration of ninety days.

NEW SECTION, Sec. 15. (1) The commission shall adopt rules in conformance with 49 U.S.C. Sec. 10707a allowing: (a) Rate increases not subject to suspension based upon an adjusted base rate of rail carriers in this state, including a cost-adjustment factor; (b) rate increases that do not exceed a specified percentage of the adjusted base rate.

(2) A rate increase under subsection (1)(b) of this section is not subject to suspension except: (a) Upon complaint by an interested party alleging that the rate increase violates the provisions of this chapter; or (b) if the rate increase is equal to or greater than revenue-variable cost percentage limits specified in 49 U.S.C. Sec. 10707a(e).

(3) For the purposes of this chapter "adjusted base rate" has the same meaning with respect to rail carriers in this state as in 49 U.S.C. Sec. 10707a(a).

NEW SECTION, Sec. 16. A railroad company providing transportation of property may enter into a contract with one or more purchasers of that transportation to provide specified services under specified rates and conditions. Contracts, together with summaries of them, shall be filed with the commission under special rules adopted by the commission relating to contents of contracts, summaries of contracts, and other rules relating thereto. Contents of summaries shall contain nonconfidential information and shall be available for public inspection.

Contracts filed under this section shall be approved by the commission to be effective at any date determined by the commission within sixty days after the filing of the contract or if not disapproved in a proceeding under this section, sixty days after filing.

A contract may, after hearing, be disapproved if the commission determines that the contract does any of the following:

(1) As to contracts other than contracts for the transportation of agricultural products, forest products, and paper: (a) Upon complaint filed by a shipper, that the contract unduly impairs the ability of the contracting railroad company or railroad companies to meet their common carrier obligations; (b) upon complaint filed by a port, that the contract harms or causes unjust discrimination against such port.

(2) As to contracts for the transportation of agricultural products, including forest products and paper, upon showing of a shipper: (a) That the railroad company unjustly discriminates against the shipper by refusing to enter into a contract with the shipper for rates and services for transportation of the same type of commodity under similar conditions to the contract at issue, and that the shipper is ready, willing, and able to enter into the contract at a time essentially contemporaneous with the period during which the contract at issue was offered; or (b) that the railroad company provides rates, services, or other practices that constitute destructive competition. For the purpose of making a determination of what constitutes destructive competition, the commission shall consider the difference between contract rates and published single car rates.

(3) As to contracts that apply only to the transportation of agricultural commodities (including forest products but not including wood pulp, woodchips, pulpwood, or paper) the contract may be disapproved if it requires the use of more than forty percent of the capacity of the railroad's owned or leased equipment, by major car type, in the performance of the terms of the contract. On request of a railroad or other party or on its own initiative, the commission may grant relief from the limitation, as it considers appropriate, if it determines that the additional equipment may be made available without harming the railroad company's ability to meet its carrier obligations.

A contract that is approved under this section and transportation under the contract may not be subsequently challenged before the commission or in any court on the grounds that the contract violates a provision of this section. The exclusive remedy for any alleged breach of a contract entered into under this section is in an appropriate state or federal court, unless the parties otherwise agree.

NEW SECTION, Sec. 17. The commission may hold a proceeding to review contracts filed under section 16 of this act under the following conditions:

(1) Notwithstanding any other provision of law, the proceedings must begin no later than thirty days after the filing of the contract;

(2) A proceeding may be initiated by the commission, or:

(a) By a shipper to determine whether a contract violates section 16(1)(a) or 16(2)(a) or (b) of this act, but only upon a showing of harm to the shipper;

(b) By a port to determine violation of section 16(1)(b) of this act, but only upon a showing of harm to the port;

(c) By any person the commission finds has an interest under section 16(3) of this act.

If a proceeding is initiated under this section the commission must determine whether the contract is in violation of section 16 of this act within thirty days after commencement of the proceeding. If the commission finds that the contract is not in violation of section 16 of this act, the contract shall become effective. If the commission finds that the contract violates section 16 of this act, the commission shall disapprove the contract, unless the contract unjustly discriminates against a shipper as stated in section 16(2)(a) of this act, in which case the carrier shall be ordered, subject to section 16 of this act, to provide rates and services substantially similar to the contract at issue with such differentials in terms and conditions as are justified by the evidence at the proceeding.

NEW SECTION. Sec. 18. In addition to the liability limitations and exceptions allowed under RCW 81.29.020, a railroad company providing transportation or service subject to jurisdiction of the commission may establish rates for transportation of property under which the liability of the carrier for the property is limited to a value established by written declaration of the shipper or by a written agreement between the shipper and the carrier, and may provide in the written declaration or agreement for specified amounts to be deducted from any claim against the carrier for loss or damage to the property or for delay in the transportation of the property.

NEW SECTION. Sec. 19. Notwithstanding any other provision of law, all railroad companies providing transportation subject to the commission's jurisdiction shall maintain rates for the transportation of recyclable or recycled materials, other than recyclable or recycled iron or steel, at revenue-to-variable-cost ratios that are equal to or less than the average revenue-to-variable-cost ratio that rail carriers would be required to realize, under honest, economical, and efficient management, in order to cover total operating expenses, including depreciation and obsolescence, plus a reasonable and economic profit or return, or both, on capital employed in the business sufficient to attract and retain capital in adequate amounts to provide a sound transportation system.

NEW SECTION. Sec. 20. In a matter related to a railroad company providing transportation, the commission shall, upon its own motion or the motion of any interested person, exempt persons, classes of persons, transactions, or service from the provisions of this chapter as the commission determines are appropriate and in the public interest. The commission may begin a proceeding either upon its own motion or upon the motion of any interested person. Exemptions established under this section may be temporary, may be subject to revocation, or may be subject to any other conditions that the commission determines are required in the public interest.

Sec. 21. Section 31, chapter 1, Laws of 1973 as last amended by section 10, chapter 133, Laws of 1983 and RCW 42.17.310 are each amended to read as follows:

(1) The following are exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to the taxpayer.

(d) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: PROVIDED, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: PROVIDED, FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the

property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(l) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(m) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070.

(n) Railroad company contracts filed with the utilities and transportation commission under section 16 of this act, except that the summaries of the contracts are open to public inspection and copying as otherwise provided by this chapter.

(2) The exemptions of this section are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption may be construed to permit the non-disclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records exempt under the provisions of this section may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

NEW SECTION. Sec. 22. There is added to chapter 64.04 RCW a new section to read as follows:

Railroad properties, including but not limited to rights-of-way, land held in fee and used for railroad operations, bridges, tunnels, and other facilities, are declared to be suitable for public use upon cessation of railroad operations on the properties. It is in the public interest of the state of Washington that such properties retain their character as public utility and transportation corridors, and that they may be made available for public uses including highways, other forms of mass transportation, conservation, energy production or transmission, or recreation.

NEW SECTION. Sec. 23. There is added to chapter 64.04 RCW a new section to read as follows:

(1) Public utility and transportation corridors are railroad properties (a) on which railroad operations have ceased; (b) that have been found suitable for public use by an order of the Interstate Commerce Commission of the United States; and (c) that have been acquired by purchase, lease, donation, exchange, or other agreement by the state, one of its political subdivisions, or a public utility.

(2) A public utility and transportation corridor retains its public use character as long as it is owned by a public agency or utility. A public utility and transportation corridor is not subject to reversion, taking by adverse possession, or any similar property interests ripening on the cessation of railroad operations.

NEW SECTION. Sec. 24. Sections 10 through 20 of this act shall constitute a new chapter in Title 81 RCW.

NEW SECTION. Sec. 25. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In line 14 of the title, after "42.17.310;" insert "adding new sections to chapter 64.04 RCW;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Walk, the House concurred in the Senate amendments to House Bill No. 1413.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of House Bill No. 1413 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1413 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

House Bill No. 1413 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1427 with the following amendments:

On page 1, line 4 after "RCW 46.37" insert ".467"

On page 1, line 2 after "RCW 46.37" insert ".467"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Walk, the House concurred in the Senate amendments to Engrossed House Bill No. 1427.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed House Bill No. 1427 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1427 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

Engrossed House Bill No. 1427 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1456 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 95, Laws of 1979 and RCW 28A.58.800 are each amended to read as follows:

RCW 28A.58.800 through 28A.58.810 shall be known and cited as 'The Transitional Bilingual Instruction Act ~~((of 1979))~~'. The legislature finds that there are large numbers of children who come from homes where the primary language is other than English. ~~((Experience has shown that classes which are taught in English are inadequate to meet the needs of these children.))~~ The legislature finds that a transitional bilingual education program can meet the needs of these children. Pursuant to the policy of this state to insure equal educational opportunity to every child in this state, it is the purpose of RCW 28A.58.800 through 28A.58.810 to provide for the implementation of transitional bilingual education programs in the public schools, and to provide supplemental financial assistance to ~~((help local))~~ school districts to meet the extra costs of these programs.

Sec. 2. Section 2, chapter 95, Laws of 1979 and RCW 28A.58.802 are each amended to read as follows:

As used in RCW 28A.58.800 through 28A.58.810, unless the context thereof indicates to the contrary:

(1) 'Transitional bilingual instruction' means :

(a) A system of instruction which uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable the pupil to achieve competency in English. Concepts and information are introduced in the primary language and reinforced in the second language: PROVIDED, That the program shall include testing in the subject matter in English((:)); or

(b) In those cases in which the use of two languages is not practicable as established by the superintendent of public instruction and unless otherwise prohibited by law, an alternative system of instruction which may include English as a second language and is designed to enable the pupil to achieve competency in English.

(2) 'Primary language' means the language most often used by the student for communication in his/her home.

(3) 'Eligible pupil' means any enrollee of the school district whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning ~~((when taught only in English, but shall not include pupils who are equally or almost equally competent in English and other languages)).~~

Sec. 3. Section 3, chapter 95, Laws of 1979 and RCW 28A.58.804 are each amended to read as follows:

Every school district board of directors shall:

(1) Make available to each eligible pupil transitional bilingual instruction to achieve competency in English, in accord with rules of the superintendent of public instruction((:PROVIDED; That such rules shall provide that any school district with a limited number of pupils of the same non-English dominant language shall not be required to activate a new bilingual program but may carry on an alternative instructional program utilizing resources available to the district)).

(2) Wherever feasible, ensure that communications to parents emanating from the schools shall be appropriately bilingual for those parents of pupils in the bilingual instruction program.

(3) ~~((Annually))~~ Determine, by administration of ~~((an))~~ an English test approved by the superintendent of public instruction the number of eligible pupils enrolled in the school district at the beginning of a school year and thereafter during the year as necessary in individual cases. If, however, a preliminary interview indicates little or no English speaking ability, eligibility testing shall not be necessary.

(4) Before the conclusion of each school year, measure each eligible pupil's improvement in learning the English language by means of a test approved by the superintendent of public instruction.

~~((4))~~ (5) Provide in-service training for ~~((all))~~ teachers, counselors, and other staff, who are involved in the district's transitional bilingual ((education within the district)) program. Such training shall include appropriate instructional strategies for children of culturally different backgrounds, use of curriculum materials, and ~~((bilingual))~~ program models.

Sec. 4. Section 4, chapter 95, Laws of 1979 and RCW 28A.58.806 are each amended to read as follows:

Every school district board of directors may appoint, maintain, and receive recommendations from an advisory committee ~~((of persons including))~~ which includes parents whose children are in the transitional bilingual instruction program ((and bilingual)), teachers, and other staff members.

Sec. 5. Section 5, chapter 95, Laws of 1979 and RCW 28A.58.808 are each amended to read as follows:

The superintendent of public instruction shall ~~((prepare and))~~:

(1) ~~Promulgate and~~ issue ~~((prior to September, 1979;))~~ program development guidelines to assist school districts in preparing their programs~~((;))~~:

(2) ~~Promulgate rules for implementation of ((this bilingual instruction act shall be promulgated by the superintendent of public instruction))~~ RCW 28A.58.800 through 28A.58.810 in accordance with chapter 34.04 RCW ~~((no later than May 15, 1980))~~. The rules shall be designed to maximize the role of school districts in selecting programs appropriate to meet the needs of eligible students. The rules shall identify the process and criteria to be used to determine when a student is no longer eligible for transitional bilingual instruction pursuant to RCW 28A.58.800 through 28A.58.810.

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 be codified between RCW 28A.58.800 and 28A.58.810 to read as follows:

School districts may enrich the programs required by RCW 28A.58.800 through 28A.58.810: PROVIDED, That such enrichment shall not constitute a basic education responsibility of the state.

Sec. 7. Section 6, chapter 95, Laws of 1979 and RCW 28A.58.810 are each amended to read as follows:

The superintendent of public instruction shall prepare and submit biennially to the governor and the legislature a budget request for transitional bilingual instruction programs. Moneys appropriated by the legislature for the purposes of RCW 28A.58.800 through 28A.58.810 shall be allocated by the superintendent of public instruction to school districts for the sole purpose of operating an approved transitional bilingual instruction program~~((-priorities for funding shall exist for the early elementary grades. No moneys shall be allocated pursuant to this section to fund more than three school years of bilingual instruction for each eligible pupil within a district. PROVIDED, That such moneys may be allocated to fund more than three school years of bilingual instruction for any pupil who fails to demonstrate improvement in English language skills adequate to remove impairment of learning when taught only in English. The superintendent of public instruction shall set standards and approve a test for the measurement of such English language skills))~~.

An eligible student may receive no more than three school years of transitional bilingual instruction as defined in RCW 28A.58.802(1)(a).

School districts are hereby empowered to accept grants, gifts, donations, devices and other gratuities from private and public sources to aid in accomplishing the purposes of RCW 28A.58.800 through 28A.58.810.

NEW SECTION. Sec. 8. 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 superintendent of public instruction shall review annually the transitional bilingual instruction program and shall submit a report of such review to the legislature on or before January 1 of each year."

On page 1, beginning on line 7 of the title, strike "a new section" and insert "new sections" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Galloway moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1456.

Representatives Galloway and Dickie spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1456 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1456 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voicing yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure,

McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Isaacson, King R, Niemi - 3.

Engrossed Substitute House Bill No. 1456 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1017,
HOUSE BILL NO. 1348,
SUBSTITUTE SENATE BILL NO. 3504,
SENATE BILL NO. 3834,
SUBSTITUTE SENATE BILL NO. 4110,
SUBSTITUTE SENATE BILL NO. 4288,
SENATE BILL NO. 4352,
SENATE BILL NO. 4358,
SENATE BILL NO. 4374,
SENATE BILL NO. 4437,
SENATE BILL NO. 4491,
SENATE BILL NO. 4527,
SENATE BILL NO. 4592,
SENATE BILL NO. 4731.

APPOINTMENT OF CONFEREES

The Speaker appointed as conferees on Substitute House Bill No. 1449: Representatives Galloway, Ebersole and Betrozoff.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-149, by Representative McMullen

WHEREAS, The Western Washington University women's basketball team is the defending Region One champion in the NAIA; and

WHEREAS, The Vikings finished their season last week with twenty-four wins against just three losses, which tied the record for the best season ever for the team; and

WHEREAS, The Vikings are ranked eleventh in the nation; and

WHEREAS, This is the fourth straight year, and twelve out of the last thirteen years, that the Vikings have qualified for post-season tournaments; and

WHEREAS, Coach Lynda Goodrich began the season as the eleventh winningest coach in the NAIA and the NCAA, and improved her record even more this year;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor Coach Lynda Goodrich and the Western Washington University Vikings women's basketball team; and

BE IT FURTHER RESOLVED, That the House of Representatives wish Coach Goodrich and the Vikings success in the upcoming playoff tournament; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Coach Goodrich and the Viking team.

On motion of Mr. McMullen, the resolution was adopted.

MOTION

On motion of Mr. Wang, the House adjourned until 1:00 p.m., Wednesday, February 29, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, February 29, 1984

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives R. King and Prince, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kristin Johnston and Matt Badley. Prayer was offered by Pastor Wayne Erickson, Minister of Bethany Lutheran Church of Bainbridge Island.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills and has passed the bills as amended by the House:

ENGROSSED SENATE BILL NO. 3059,
 SUBSTITUTE SENATE BILL NO. 3064,
 SUBSTITUTE SENATE BILL NO. 3103,
 ENGROSSED SENATE BILL NO. 3128,
 SECOND SUBSTITUTE SENATE BILL NO. 3158,
 SUBSTITUTE SENATE BILL NO. 3178,
 SUBSTITUTE SENATE BILL NO. 3238,
 ENGROSSED SENATE BILL NO. 3262,
 SUBSTITUTE SENATE BILL NO. 3287,
 ENGROSSED SENATE BILL NO. 3437,
 SUBSTITUTE SENATE BILL NO. 3561,
 SENATE BILL NO. 4286,
 SENATE BILL NO. 4320.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 28, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1017,
 HOUSE BILL NO. 1348.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 29, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4494, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 29, 1984

The President has signed:

SUBSTITUTE SENATE BILL NO. 4494.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 857,
 SUBSTITUTE HOUSE BILL NO. 915,
 SUBSTITUTE HOUSE BILL NO. 1083,
 SUBSTITUTE HOUSE BILL NO. 1205,
 SUBSTITUTE HOUSE BILL NO. 1439,
 SUBSTITUTE SENATE BILL NO. 4494.

REPORTS OF STANDING COMMITTEES

February 28, 1984

RESB 3044 Prime Sponsor, Senator Gaspard: Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 4, chapter 273, Laws of 1971 ex. sess. as amended by section 3, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.014 are each amended to read as follows:

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 faculty member, classified staff member or administratively exempt employee holding not less than a half time appointment at an institution who resides in the state of Washington, and the dependent children and spouse of such persons.

(3) The spouse and dependents of any active-duty military person of field grade or lower rank, for the first twelve months they are stationed in the state of Washington.

(4) Any immigrant refugee and the spouse and dependent children of such refugee, if the refugee (a) is on parole status, or (b) has received an immigrant visa, or (c) has applied for United States citizenship.

NEW SECTION. Sec. 2. 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. 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."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

February 28, 1984

E2SSB 4831 Prime Sponsor, Committee on Ways & Means: Establishing a program for disclosure of information regarding hazardous substances in the workplace. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with amendments by Committee on Environmental Affairs. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Taylor and Vander Stoep.

Voting nay: Representatives Bond, Cantu, Hastings, Sanders, Struthers and Tilly.

Passed to Committee on Rules for second reading.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 392 with the following amendments:

On page 2, after line 12, insert the following:

"Sec. 2. Section 35A.05.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.040 are each amended to read as follows:

When a sufficient petition, as determined by the rules set forth in RCW 35A.01.040, is filed with the legislative body of each of such contiguous municipal corporations, signed by electors of each such corporation in number equal to not less than ten percent of the votes cast at the last general municipal election therein, seeking consolidation of such contiguous municipal corporations as a noncharter code city under one of the plans of government authorized by this title, naming such plan and setting forth a name for the proposed consolidated city, the legislative body of the municipal corporation in which the largest number of inhabitants reside (hereinafter called principal legislative body) shall cause to be submitted to the electors of each of such corporations, at the next general municipal election, if one is to be held within one hundred and eighty days, or at a special election to be called for that purpose not less than ~~((ninety))~~ sixty nor more than ~~((one))~~ two hundred and ~~((eighty))~~ twenty days after the filing of the petition, the question whether such corporation shall become consolidated as a noncharter code city under the plan of government proposed in the petition.

NEW SECTION. Sec. 3. Section 2 of 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 "government;" strike "and"

On page 1, line 2 of the title after "35.43.140" insert "; amending section 35A.05.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.040; and declaring an emergency" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Moon moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 392 and ask the Senate for a conference thereon.

Representatives Moon and Van Dyken spoke in favor of the motion and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 880 with the following amendments:

Beginning on line 8 after "18.53" strike "or 18.71" and insert ", 18.74, 18.57, 18.71, 18.83 or 18.88"

On page 1, line 10 after "contractor," insert "shall be mailed directly to the provider, and"

On page 1, line 12 after "That" insert "if any financial institution as defined in RCW 30.04.505 pays any check which does not contain the endorsements required by this section, such financial institution shall be liable for three times the face value of the check together with reasonable attorneys fees and any costs of collection: AND PROVIDED FURTHER, That"

On page 1, line 13 after "insured" insert ", and mailed directly to the insured," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Kreidler, the House concurred in the amendment to page 1, line 8 and refused to concur the remaining amendments and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 939 with the following amendment:

On page 2, line 23 after "proceedings" insert "and each person or party claiming any right, title, estate, lien or interest in, to, or upon the property" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Moon, the House refused to concur in the Senate amendment to House Bill No. 939, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1105 with the following amendments:

On page 1, line 14 after "registrar" insert "and to the parents, or legal guardians of the child."

On page 2, beginning on line 22, strike all material down to and including line 35 and insert the following:

"(1) The department shall not disclose the identity of a sentinel birth defect child from reports required under RCW 70.58.320 unless:

(a) There is a demonstrated public health need for the individual identity;

(b) The department obtains written consent of the parent or guardian of the child; and

(c) The department assures that the identity of the child shall not be released without the written consent of the parent or guardian.

(2) If there is a demonstrated need for the individual identity of children without sentinel birth defects to conduct a case-control investigation, subsection (1) (a), (b), and (c) of this section shall apply."

On page 3, line 7 after "act." insert "A parent or legal guardian of a child who is the subject of a report required by RCW 70.58.320 shall have access to such report or reports." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendments to Substitute House Bill No. 1105.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1105 as amended by the Senate.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Prince - 2.

Substitute House Bill No. 1105 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1125 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The house social and health services committee, senate social and health services committee, senate judiciary committee, and the legislative budget committee shall conduct a study of children's mental health services in a manner deemed efficient and appropriate.

(2) The objectives of the study shall be as follows:

(a) To perform a program, management, and fiscal review of existing publicly funded children's mental health and related services;

(b) To determine the extent to which the following chapters of RCW have been implemented, with particular emphasis on: Continuum of care; prevention; early intervention; and diversion from involuntary commitment, protective services, institutions, out-of-home placements; and reduction of family break-ups — Title 13 RCW, chapters 71.24, 74.13, 74.14A, 71.05, 74.15, and 26.44 RCW;

(c) To determine the need for and type of children's mental health and related services focusing on categories enumerated in subsection (2)(b) of this section;

(d) To analyze current methods of delivery of children's mental health and related services;

(e) To submit to the legislature by December 15, 1984 a report including budgetary and statutory recommendations;

(f) To assess the degree to which the proposed 1985-87 state biennial budget places a priority on the service categories listed in subsection (2)(b) of this section.

NEW SECTION. Sec. 2. To assist the legislature in this study, the department of social and health services shall submit to the study committees, no later than June 1, 1984, a summary of the most current needs assessment for children's mental health services performed by counties pursuant to RCW 71.24.045 and any additional data that supports the children's portion of the department's current or proposed mental health plans. The department shall also submit any additional information that it has compiled since January 1, 1979 on the needs for children's mental health and related service.

NEW SECTION. Sec. 3. In conducting the study, the committee shall seek the participation of children's mental health service providers; related service providers; client advocates; local governments; the department of social and health services; the office of financial management; and the Washington state institute on public policy.

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 1 of the title, after "services;" strike "and"

On page 1, line 2 of the title, after "sections" and before the period insert "; and declaring an emergency"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McClure, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1125.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1125 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1125 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Prince - 2.

Engrossed Substitute House Bill No. 1125 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 448 with the following amendments:

On page 2, line 18 after "persons." insert "The director shall also adopt rules providing for the issuance of special cards to public transportation authorities that regularly transport disabled persons who have been determined eligible for special parking privileges provided under this section. The special card shall be displayed in a vehicle operated by the public transportation authority only when actually transporting the disabled persons. The public transportation authority is responsible for insuring that the special card is not used improperly and is responsible for all fines and penalties for improper use."

On page 6, line 26 after "Section" strike "4" and insert "5" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Todd, the House concurred in the Senate amendments to Second Substitute House Bill No. 448.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Second Substitute House Bill No. 448 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 448 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Prince - 2.

Second Substitute House Bill No. 448 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1133 with the following amendment:

On page 1, line 15 after "rule" strike "or on a case-by-case basis" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Pruitt moved that the House do not concur in the Senate amendment to Engrossed House Bill No. 1133 and ask the Senate for a conference thereon.

Representatives Pruitt and Barnes spoke in favor of the motion, and it was carried.

SENATE AMENDMENT TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1137 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature recognizes that:

(1) Most care provided for functionally disabled adults is delivered by family members or friends who are not compensated for their services. Family involvement is a crucial element for avoiding or postponing institutionalization of the disabled adult.

(2) Family or other caregivers who provide continuous care in the home are frequently under substantial stress, physical, psychological, and financial. The stress, if unrelieved by family or community support to the caregiver, may lead to premature or unnecessary nursing home placement.

(3) Respite care and other community-based supportive services for the caregiver and for the disabled adult could relieve some of the stresses, maintain and strengthen the family structure, and postpone or prevent institutionalization.

(4) With family and friends providing the primary care for the disabled adult, supplemented by community health and social services, long-term care may be less costly than if the individual were institutionalized.

NEW SECTION, Sec. 2. It is the intent of the legislature to provide for a demonstration of the possible cost-effectiveness of both in-home and out-of-home respite care services which are provided by a range of service providers. The respite care services shall:

(1) Provide relief and support to family or other unpaid caregivers of disabled adults;

(2) Encourage individuals to provide care for disabled adults at home, and thus offer a viable alternative to institutionalization;

(3) Ensure that respite care is made generally available on a sliding-fee basis to eligible participants and caregivers in the program; and

(4) Be provided in the least restrictive setting available consistent with the individually assessed needs of the functionally disabled adult.

NEW SECTION, Sec. 3. Unless the context clearly indicates otherwise, the definitions in this section apply throughout sections 1 through 7 of this act.

(1) 'Respite care services' means relief care for families or other caregivers of disabled adults, not exceeding five hundred seventy-six hours in not more than twenty-four days in any twelve-month period for each household. The Senate has passed ENGROSSED HOUSE BILL NO. 392 with the following amendments:

The services provide temporary care or supervision of disabled adults in substitution for the caregiver. The term includes social day care.

(2) 'Eligible participant' means an adult (a) who needs substantially continuous care or supervision by reason of his or her functional disability, and (b) who is assessed as requiring institutionalization in the absence of a caregiver assisted by home and community support services, including respite care.

(3) 'Caregiver' means a spouse, relative, or friend who has primary responsibility for the care of a functionally disabled adult, who does not receive financial compensation for the care, and who is assessed as being at risk of placing the eligible participant in a long-term care facility if respite care is not available.

(4) 'Institutionalization' means placement in a long-term care facility.

(5) 'Social day care' means nonmedical services to persons who live with their families, cannot be left unsupervised, and are at risk of being placed in a twenty-four-hour care facility if their families do not receive some relief from constant care.

(6) 'Department' means the department of social and health services.

NEW SECTION, Sec. 4. The department shall administer sections 1 through 8 of this act and shall establish such rules and standards as the department deems necessary in carrying out sections 1 through 8 of this act. The department shall not require the development of plans of care or discharge plans by nursing homes providing respite care service.

The department shall develop program standards for the demonstration projects in conjunction with the selected area agencies on aging. The program standards shall serve as the basis for soliciting bids, entering into subcontracts, and developing sliding fee scales to be used in determining the ability of eligible participants and caregivers to participate in paying for respite care.

NEW SECTION, Sec. 5. The department shall select at least two but not more than three area agencies on aging to conduct one-year respite care demonstration projects ending June 30, 1985. One of the selected area agencies on aging shall be east of the crest of the Cascade range and one shall be west of the crest of the Cascade range. The area agencies on aging will be responsible for negotiating rates of payment and developing sliding-fee scales to enable eligible participants and caregivers to participate in paying for respite care. Rates of payment to respite care service providers shall not exceed, and may be less than, rates paid by the department to the same providers for other than respite care.

NEW SECTION, Sec. 6. The department shall insure that the respite care program is designed to meet the following criteria:

(1) Make maximum use of services which provide care to the greatest number of eligible participants with the fewest number of staff consistent with adequate care;

(2) Provide for use of one-on-one care when necessary;

(3) Provide for both day care and overnight care;

(4) Provide personal care to continue at the same level which the caregiver ordinarily provides to the eligible participant; and

(5) Provide for the utilization of family home settings.

NEW SECTION, Sec. 7. (1) The area agencies administering respite care demonstration projects shall:

(a) Maintain data which indicates demand for respite care, and which includes information on in-home and out-of-home day care and in-home and out-of-home overnight care demand; and

(b) Make a comparison of the relative cost-effectiveness of the several types of respite care with all other programs and services which are intended to forestall institutionalization.

(2) The department shall conduct a survey of all public assistance patients accepted by long-term care facilities in each participating planning and service area to determine the extent to which each of them availed themselves of services designed to defer institutionalization.

(3) The department shall provide a progress report to the legislature on the respite care demonstration projects authorized in this act, not later than January 1, 1985. The department shall report the results of the data collection, cost comparison, and survey as required in this section to the legislature not later than thirty days prior to the 1986 legislative session.

NEW SECTION, Sec. 8. Nothing in this act shall impair the practice of any licensed health care practitioner or licensed health care facility.

NEW SECTION, Sec. 9. There is appropriated to the department of social and health services from the general fund for the biennium ending June 30, 1985, the sum of five hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendment to Engrossed Second Substitute House Bill No. 1137.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1137 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1137 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R. Prince - 2.

Engrossed Second Substitute House Bill No. 1137 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1142 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 51.28.050, chapter 23, Laws of 1961 and RCW 51.28.050 are each amended to read as follows:

No application shall be valid or claim thereunder enforceable unless filed within one year after the day upon which the injury occurred or the rights of dependents or beneficiaries accrued, except as provided in RCW 51.28.055.

Sec. 2. Section 51.28.055, chapter 23, Laws of 1961 as amended by section 34, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.055 are each amended to read as follows:

Claims for occupational disease or infection to be valid and compensable must be filed within ~~((one year))~~ two years following the date the worker had written notice from a physician: (1) Of the existence of his or her occupational disease, ((without reference to its date of origin)) and (2) that a claim for disability benefits may be filed. The notice shall also contain a statement that the worker has two years from the date of the notice to file a claim. The physician shall file the notice with the department. The department shall send a copy to the worker and to the self-insurer if the worker's employer is self-insured. However, a claim is valid if it is filed within two years from the date of death of the worker suffering from an occupational disease.

Sec. 3. Section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020 are each amended to read as follows:

Where a worker is entitled to compensation under this title he or she shall file with the department or his or her self-insuring employer, as the case may be, his or her application for such, together with the certificate of the physician who attended him or her, and it shall be the duty of the physician to inform the injured worker of his or her rights under this title and to lend all necessary assistance in making this application for compensation and such proof of other matters as required by the rules of the department without charge to the worker. The department shall provide physicians with a manual which outlines the procedures to be followed in applications for compensation involving occupational diseases, and which describes claimants' rights and responsibilities related to occupational disease claims. If application for compensation is made to a self-insuring employer, he or she shall forthwith send a copy thereof to the department."

On page 1, line 1 of the title, after "diseases;" strike the remainder of the title and insert "amending section 51.28.050, chapter 23, Laws of 1961 and RCW 51.28.050; amending section 51.28.055, chapter 23, Laws of 1961 as amended by section 34, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.055; and amending section 51.28.020, chapter 23, Laws of 1961 as last amended by section 33, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.020."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to Engrossed House Bill No. 1142.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 1142 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1142 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P., Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Wilson, Zelinsky, and Mr. Speaker - 96.

Excused: Representatives King R., Prince - 2.

Engrossed House Bill No. 1142 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1187 with the following amendments:

On page 1, line 16, after "and" strike "/or"

On page 3, line 10 strike line 10 and insert:

"(1) Commercial practice of cosmetology, barbering, or manicuring;"

On page 3, line 26, after "director" strike all the material down to and including "conclusive" on line 30 and insert "and" after the subsection which precedes the last subsection.

On page 4, line 9, after "exceed" strike "seventy" and insert "twenty"

On page 4, line 10, after "form" insert "and amount"

On page 4, line 34, after "license" strike "and registration"

On page 4, line 35, after "licenses" strike "and registrations"

On page 5, line 14, strike "licensed cosmetologists" and insert "barbers or cosmetologists who are licensed under this chapter and"

On page 5, line 15, before "cosmetology" insert "barbering or"

On page 6, line 21, after "RCW 43.24.086." add the following: "A person whose license has not been renewed for three years shall be required to retake the applicable examination before the license may be reissued."

On page 6, line 21 after "RCW 43.24.086." insert the following: "A person whose license has not been renewed for three years shall be required to retake the applicable examination before the license may be reissued: PROVIDED, That the director may waive this requirement for good cause shown."

On page 7, after line 22, insert a new section to read as follows:

NEW SECTION. Sec. 16. In addition to any other legal remedy, any student having a claim against a school may bring suit upon the surety bond required in section 6(6) of this act in the superior or district court of Thurston county or the county in which the educational services were offered by the school. Action upon the bond shall be commenced by filing the complaint with the clerk of the appropriate superior or district court within one year from the date of the cancellation of the bond: PROVIDED, That no action shall be maintained upon the bond for any claim which has been barred by any nonclaim statute or statute of limitations of this state. Service of process in an action upon the bond shall be exclusively by service upon the director. Two copies of the complaint shall be served by registered or certified mail upon the director at the time the suit is started. Such service shall constitute service on the surety and the school. The director shall transmit the complaint or a copy thereof to the school at the address listed in the director's records and to the surety within forty-eight hours after it has been received. The surety shall not be liable in an aggregate amount in excess of the amount named in the bond. In any action on a bond, the prevailing party is entitled to reasonable attorney's fees and costs.

The director shall maintain a record, available for public inspection, of all suits commenced under this chapter upon surety bonds."

Renumber the remaining sections and correct internal references accordingly.

On page 7, line 27, strike "valid on" and insert "issued prior to" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Tanner, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1187.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1187 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1187 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C,

Smith L. Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Fuhrman - 1.

Excused: Representatives King R, Prince - 2.

Engrossed Substitute House Bill No. 1187 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 85 with the following amendments:

On page 2, after line 15 insert the following:

"NEW SECTION. Sec. 2. This act shall take effect on July 1, 1985."

On page 1, line 1 of the title strike "and"

On page 1, line 4 of the title after "41.56.030" insert "; and providing an effective date" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to Second Substitute House Bill No. 85.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Second Substitute House Bill No. 85 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 85 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 21; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Ballard, Barnes, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Hine, Long, Nealey, Padden, Sanders, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Williams J - 21.

Excused: Representatives King R, Prince - 2.

Second Substitute House Bill No. 85 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 16, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1218 with the following amendments:

On page 2, line 8 after "than" and before "five" insert "twenty-"

On page 2, line 8 after "dollars" strike everything down to and including "dollars" on line 17.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kaiser, the House refused to concur in the Senate amendments to Engrossed House Bill No. 1218, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1219 with the following amendments:

On page 3, line 10 after "party," insert "these agreements will not be binding upon future actions of the legislature."

On page 5, line 6 after "closed" insert "or union"

On page 9, after line 11 insert the following:

"NEW SECTION. Sec. 10. Nothing in this chapter shall authorize the right to strike."

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

On page 10, line 4 after "Sec. 12." strike "(1)"

On page 10, after line 8 strike all material down through "faith," on line 13.

On page 10, after line 35 insert the following:

"(4) In no event shall the collective bargaining agreement between the employer and the exclusive bargaining representative contain salary, wage and fringe benefit increases from any fund source whatsoever in excess of the increases specified in the biennial operating budget."

On page 11, line 4 strike "either upon its own motion or" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to House Bill No. 1219.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 1219 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1219 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 58; nays, 38; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Johnson, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Excused: Representatives King R, Prince - 2.

House Bill No. 1219 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 Mr. Heck, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1231, by Representatives Belcher, Wilson, Stratton, Sayan, Miller, Locke, Mitchell, Halsan, McClure, Fiske, Vekich, McMullen, Sommers, Sutherland, Haugen, Niemi, Burns and Powers

Modifying provisions relating to aquatic lands.

The bill was read the second time. On motion of Ms. Sommers, Second Substitute House Bill No. 1231 was substituted for House Bill No. 1231, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1231 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1231, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Moon - 1.

Excused: Representatives King R, Prince - 2.

Second Substitute House Bill No. 1231, having received the 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 Mr. Heck, Engrossed Substitute House Bill No. 863, Engrossed Senate Bill No. 3507, Engrossed Substitute Senate Bill No. 3622, Engrossed Second Substitute Senate Bill No. 3982, Substitute Senate Bill No. 4623, Substitute Senate Bill No. 4709 and Substitute Senate Bill No. 4778 were rereferred from the second reading calendar to Committee on Rules.

MESSAGE FROM THE SENATE

February 29, 1984

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3059,
 SUBSTITUTE SENATE BILL NO. 3064,
 SUBSTITUTE SENATE BILL NO. 3103,
 SENATE BILL NO. 3128,
 SECOND SUBSTITUTE SENATE BILL NO. 3158,
 SUBSTITUTE SENATE BILL NO. 3178,
 SUBSTITUTE SENATE BILL NO. 3238,
 SENATE BILL NO. 3262,
 SUBSTITUTE SENATE BILL NO. 3287,
 SENATE BILL NO. 3437,
 SUBSTITUTE SENATE BILL NO. 3561,
 SENATE BILL NO. 4286,
 SENATE BILL NO. 4320.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 217,
 SUBSTITUTE HOUSE BILL NO. 1127,
 HOUSE BILL NO. 1135,
 SUBSTITUTE HOUSE BILL NO. 1164,
 SUBSTITUTE HOUSE BILL NO. 1213,
 HOUSE BILL NO. 1248,
 SUBSTITUTE HOUSE BILL NO. 1282,
 HOUSE BILL NO. 1413.

HOUSE BILL NO. 1427,
 SUBSTITUTE HOUSE BILL NO. 1456,
 SENATE BILL NO. 3059,
 SUBSTITUTE SENATE BILL NO. 3064,
 SUBSTITUTE SENATE BILL NO. 3103,
 SENATE BILL NO. 3128,
 SECOND SUBSTITUTE SENATE BILL NO. 3158,
 SUBSTITUTE SENATE BILL NO. 3178,
 SUBSTITUTE SENATE BILL NO. 3238,
 SENATE BILL NO. 3262,
 SUBSTITUTE SENATE BILL NO. 3287,
 SENATE BILL NO. 3437,
 SUBSTITUTE SENATE BILL NO. 3561,
 SENATE BILL NO. 4286,
 SENATE BILL NO. 4320.

SENATE AMENDMENT TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 626 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that the purpose of adoption is to provide stable homes for children. Adoptions should be handled efficiently, but the rights of all parties must be protected. The guiding principle must be determining what is in the best interest of the child. It is the intent of the legislature that this chapter be used only as a means for placing children in adoptive homes and not as a means for parents to avoid responsibility for their children unless the department, an agency, or a prospective adoptive parent is willing to assume the responsibility for the child.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Alleged father' means a person whose parent-child relationship has not been terminated, who is not a presumed father under chapter 26.26 RCW, and who alleges himself or whom a party alleges to be the father of the child. It includes a person whose marriage to the mother was terminated more than three hundred days before the birth of the child or who was separated from the mother more than three hundred days before the birth of the child.

(2) 'Child' means a person under eighteen years of age.

(3) 'Adoptee' means a person who is to be adopted or who has been adopted.

(4) 'Adoptive parent' means the person or persons who seek to adopt or have adopted an adoptee.

(5) 'Court' means the superior court.

(6) 'Department' means the department of social and health services.

(7) 'Agency' means any public or private association, corporation, or individual licensed or certified by the department as a child placing agency under chapter 74.15 RCW or as an adoption agency.

(8) 'Parent' means the natural or adoptive mother or father of a child, including a presumed father under chapter 26.26 RCW. It does not include any person whose parent-child relationship has been terminated by a court of competent jurisdiction.

(9) 'Legal guardian' means the department, an agency, or a person, other than a parent or stepparent, appointed by the court to promote the child's general welfare, with the authority and duty to make decisions affecting the child's development.

(10) 'Guardian ad litem' means a person, not related to a party to the action, appointed by the court to represent the best interests of a party who is under a legal disability.

(11) 'Relinquish or relinquishment' means the voluntary surrender of custody of a child to the department, an agency, or prospective adoptive parents.

NEW SECTION, Sec. 3. (1) A petition under this chapter may be filed in the superior court of the county in which the petitioner is a resident or of the county in which the adoptee is domiciled.

(2) A petition under this chapter may be consolidated with any other petition under this chapter. A hearing under this chapter may be consolidated with any other hearing under this chapter.

NEW SECTION, Sec. 4. (1) Every petition filed in proceedings under this chapter shall contain a statement alleging whether the Indian Child Welfare Act, 25 U.S.C. Sec. 1901 et seq., applies to the proceeding. Every order or decree entered in any proceeding under this chapter shall contain a finding that the Indian Child Welfare Act does or does not apply.

(2) Every petition filed in proceedings under this chapter shall contain a statement alleging whether the Soldiers and Sailors Civil Relief Act of 1940, 50 U.S.C. Sec. 501 et seq. applies to the proceeding. Every order or decree entered in any proceeding under this chapter shall contain a finding that the Soldiers and Sailors Civil Relief Act of 1940 does or does not apply.

NEW SECTION. Sec. 5. Any consent, relinquishment, or order of termination that would be valid in the jurisdiction in which it was executed or obtained, and which comports with due process of law, is valid in Washington state, but the burden of proof as to validity and compliance is on the petitioner.

NEW SECTION. Sec. 6. All hearings under this chapter shall be heard by the court without a jury. Unless the parties and the court agree otherwise, proceedings of contested hearings shall be recorded. The general public shall be excluded and only those persons shall be admitted whose presence is requested by any person entitled to notice under this chapter or whom the judge finds to have a direct interest in the case or in the work of the court. Persons so admitted shall not disclose any information obtained at the hearing which would identify the individual adoptee or parent involved. The court may require the presence of witnesses deemed necessary to the disposition of the petition, including persons making any report, study, or examination which is before the court if those persons are reasonably available. A person who has executed a valid waiver need not appear at the hearing. If the court finds that it is in the child's best interest, the child may be excluded from the hearing.

NEW SECTION. Sec. 7. (1) The court shall appoint a guardian ad litem for any parent or alleged father under eighteen years of age in any proceeding under this chapter. The court may appoint a guardian ad litem for a child adoptee or any incompetent party in any proceeding under this chapter. The guardian ad litem for a parent or alleged father, in addition to determining what is in the best interest of the party, shall make an investigation and report to the court concerning whether any written consent to adoption or petition for relinquishment signed by the parent or alleged father was signed voluntarily and with an understanding of the consequences of the action.

(2) The county in which a petition is filed shall pay the fees of a guardian ad litem or attorney appointed under this chapter.

NEW SECTION. Sec. 8. (1) A parent, the department, or an agency may file with the court a petition to relinquish a child to the department or an agency. The parent's written consent to adoption shall accompany the petition. The written consent of the department or the agency to assume custody shall be filed with the petition.

(2) A parent or prospective adoptive parent may file with the court a petition to relinquish a child to the prospective adoptive parent. The parent's written consent to adoption shall accompany the petition. The written consent of the prospective adoptive parent to assume custody shall be filed with the petition. The identity of the prospective adoptive parent need not be disclosed to the petitioner.

(3) A petition for relinquishment, together with the written consent to adoption, may be filed before the child's birth.

NEW SECTION. Sec. 9. (1) The court shall set a time and place for a hearing on the petition for relinquishment. The hearing may not be held sooner than forty-eight hours after the child's birth. The court may enter a temporary order giving custody of the child to the prospective adoptive parent, if a preplacement report has been filed, or to the department or agency to whom the child will be relinquished pending the court's hearing on the petition.

(2) Notice of the hearing shall be served on any parent, any alleged father, and the department, agency, or prospective adoptive parent in the manner prescribed by section 31 of this act.

(3) The court may require the parent to appear personally and enter his or her consent to adoption on the record. The court shall determine that any written consent has been validly executed. If the court determines it is in the best interests of the child, the court shall approve the petition for relinquishment.

(4) If the court approves the petition, it shall award custody of the child to the department, agency, or prospective adoptive parent, who shall be appointed legal guardian. The legal guardian shall be financially responsible for support of the child until further order of the court. The court shall also enter an order pursuant to section 13 of this act terminating the parent-child relationship of the parent and the child.

(5) An order of relinquishment to an agency or the department shall include an order authorizing the agency to place the child with a prospective adoptive parent.

NEW SECTION. Sec. 10. (1) A petition for termination of the parent-child relationship of a parent or alleged father who has not executed a written consent to adoption may be filed by:

(a) The department or an agency; or

(b) The prospective adoptive parent to whom a child has been or may be relinquished if the prospective adoptive parent has filed or consented to a petition for relinquishment.

(2) The petition for termination of the parent-child relationship shall contain a statement of facts identifying the petitioner, the parents, the legal guardian, a guardian ad litem for a party, any alleged father, and the child. The petition shall state the facts forming the basis for the petition and shall be signed under penalty of perjury or be verified.

(3) The petition may be filed before the child's birth.

NEW SECTION. Sec. 11. (1) The court shall set a time and place for a hearing on the petition for termination of the parent-child relationship, which shall not be held sooner than forty-eight hours after the child's birth.

(2) Notice of the hearing shall be served on the petitioner, the parents, any alleged father, the legal guardian of a party, and the guardian ad litem of a party, in the manner prescribed by section 31 of this act.

(3) The notice of the petition shall:

(a) State the date and place of birth. If the petition is filed prior to birth, the notice shall state the approximate date and location of conception of the child and the expected date of birth, and shall identify the mother;

(b) Inform the nonconsenting parent or alleged father that: (i) He or she has a right to be represented by counsel and that counsel will be appointed for an indigent person who requests counsel; and (ii) failure to respond to the termination action within twenty days of service will result in the termination of his or her parent-child relationship with respect to the child;

(c) Inform an alleged father that failure to file a claim of paternity under chapter 26.26 RCW or to respond to the petition, within twenty days of the date of service of the petition is grounds to terminate his parent-child relationship with respect to the child.

NEW SECTION. Sec. 12. (1) The parent-child relationship of a parent may be terminated upon a showing by clear, cogent, and convincing evidence that it is in the best interest of the child to terminate the relationship and that the parent has failed to perform parental duties under circumstances showing a substantial lack of regard for his or her parental obligations and is withholding consent to adoption contrary to the best interest of the child.

(2) The parent-child relationship of an alleged father who appears and claims paternity may be terminated upon a showing by clear, cogent, and convincing evidence that it is in the best interest of the child to terminate the relationship and that:

(a) The alleged father has failed to perform parental duties under circumstances showing a substantial lack of regard for his parental obligations and is withholding consent to adoption contrary to the best interest of the child; or

(b) He is not the father.

(3) The parent-child relationship of a parent or an alleged father may be terminated if the parent or alleged father fails to appear after being notified of the hearing in the manner prescribed by section 31 of this act.

NEW SECTION. Sec. 13. (1) If the court determines, after a hearing, that the parent-child relationship should be terminated pursuant to section 9 or 12 of this act, the court shall enter an appropriate order terminating the parent-child relationship.

(2) An order terminating the parent-child relationship divests the parent and the child of all legal rights, powers, privileges, immunities, duties, and obligations with respect to each other except past-due child support obligations owed by the parent.

(3) The parent-child relationship may be terminated with respect to one parent without affecting the parent-child relationship between the child and the other parent.

(4) The parent or alleged father whose parent-child relationship with the child has been terminated is not thereafter entitled to notice of proceedings for the adoption of the child by another, nor has the parent or alleged father any right to contest the adoption or otherwise to participate in the proceedings unless an appeal from the termination order is pending or unless otherwise ordered by the court.

NEW SECTION. Sec. 14. (1) Any person may be adopted, regardless of his or her age or residence.

(2) Any person who is legally competent and who is eighteen years of age or older may be an adoptive parent.

NEW SECTION. Sec. 15. (1) An adoption proceeding is initiated by filing with the court a petition for adoption. The petition shall be filed by the prospective adoptive parent.

(2) A petition for adoption shall contain the following information:

(a) The name and address of the petitioner;

(b) The name, if any, gender, and place and date of birth, if known, of the adoptee;

(c) A statement that the child is or is not an Indian child covered by the Indian Child Welfare Act; and

(d) The name and address of the department or any agency, legal guardian, or person having custody of the child.

(3) The written consent to adoption of any person, the department, or agency which has been executed shall be filed with the petition.

(4) The petition shall be signed under penalty of perjury by the petitioner. If the petitioner is married, the petitioner's spouse shall join in the petition.

(5) If a preplacement report prepared pursuant to section 19 of this act has not been previously filed with the court, the preplacement report shall be filed with the petition for adoption.

NEW SECTION. Sec. 16. (1) Except as otherwise provided in section 17 of this act, consent to an adoption shall be required of the following if applicable:

- (a) The adoptee, if fourteen years of age or older;
- (b) The parents and any alleged father of an adoptee under eighteen years of age;
- (c) An agency or the department to whom the adoptee has been relinquished pursuant to section 8 of this act; and

(d) The legal guardian of the adoptee.

(2) The written consent to adoption shall be signed under penalty of perjury and shall state that:

(a) It is given subject to approval of the court;

(b) It has no force or effect until approved by the court;

(c) The consent will not be presented to the court until forty-eight hours after it is signed;

(d) It is revocable by the consenting party at any time prior to its approval by the court;

(e) A consenting party who seeks to revoke the consent must notify the agency or person who obtained the consent verbally or in writing within forty-eight hours of signing the consent, and, if the initial notice is oral, the party seeking to revoke must mail written notification of revocation to the clerk of the court no less than forty-eight hours after the oral notice was given;

(f) The address of the clerk of court where the consent will be presented is included; and

(g) After it has been approved by the court, the consent is not revocable except for fraud or duress practiced by the person, department, or agency requesting the consent or for lack of mental competency at the time the consent was executed by the person signing the consent. A written consent to adoption shall not be revoked more than one year after it is approved by the court.

(3) A written consent to adoption which meets all the requirements of this chapter but which does not name or otherwise identify the adopting parent shall be valid if it contains a statement that it is voluntarily executed without disclosure of the name or other identification of the adopting parent.

NEW SECTION. Sec. 17. An agency's, the department's, or a legal guardian's consent to adoption may be dispensed with if the court determines that the proposed adoption is in the best interests of the adoptee and that the refusal to consent to adoption is arbitrary and capricious.

NEW SECTION. Sec. 18. Except as provided in section 22 of this act, a child shall not be placed with prospective adoptive parents until a preplacement report has been filed with the court.

NEW SECTION. Sec. 19. (1) Any person may at any time request an agency, the department, an individual approved by the court, or a qualified salaried court employee to prepare a preplacement report. A person may have more than one preplacement report prepared. All preplacement reports shall be filed with the court in which the petition for adoption is filed.

(2) The preplacement report shall be a written document setting forth all relevant information relating to the fitness of the person requesting the report as an adoptive parent. The report shall be based on a study which shall include an investigation of the home environment, family life, health, facilities, and resources of the person requesting the report. The report shall include a list of the sources of information on which the report is based. The report shall include a recommendation as to the fitness of the person requesting the report to be an adoptive parent.

(3) An agency, the department, or a court approved individual may charge a reasonable fee based on the time spent in conducting the study and preparing the preplacement report. The court may set a reasonable fee for conducting the study and preparing the report when a court employee has prepared the report. An agency, the department, a court approved individual, or the court may reduce or waive the fee if the financial condition of the person requesting the report so warrants. An agency's, the department's, or court approved individual's, fee is subject to review by the court upon request of the person requesting the report.

(4) The person requesting the report shall designate to the agency, the department, the court approved individual, or the court in writing the county in which the preplacement report is to be filed. If the person requesting the report has not filed a petition for adoption, the report shall be indexed in the name of the person requesting the report and a cause number shall be assigned. A fee shall not be charged for filing the report. The applicable filing fee may be charged at the time a petition governed by this chapter is filed. Any subsequent preplacement reports shall be filed together with the original report.

(5) A copy of the completed preplacement report shall be delivered to the person requesting the report.

(6) A person may request that a report not be completed. A reasonable fee may be charged for the value of work done.

NEW SECTION. Sec. 20. (1) Except as provided in section 22 of this act, at the time the petition for adoption is filed, the court shall order a post-placement report made to determine the nature and adequacy of the placement and to determine if the placement is in the best interest of the child. The report shall be prepared by an agency, the department, an individual

approved by the court, or a qualified salaried court employee appointed by the court. The report shall be in writing and contain all reasonably available information concerning the physical and mental condition of the child, home environment, family life, health, facilities and resources of the petitioners, and any other facts and circumstances relating to the propriety and advisability of the adoption. The report shall also include, if relevant, information on the child's special cultural heritage, including membership in any Indian tribe or band. The report shall be filed within sixty days of the date of appointment, unless the time is extended by the court. The preplacement report shall be made available to the person appointed to make the post-placement report.

(2) A fee may be charged for preparation of the post-placement report in the same manner as for a preplacement report under section 19(3) of this act.

NEW SECTION. Sec. 21. The department or an agency having the custody of a child may make the preplacement or post-placement report on a petitioner for the adoption of that child.

NEW SECTION. Sec. 22. Unless otherwise ordered by the court, the reports required by section 19 of this act are not required if the petitioner seeks to adopt the child of the petitioner's spouse. The reports required by sections 19 and 20 of this act are not required if the adoptee is eighteen years of age or older.

NEW SECTION. Sec. 23. (1) After the reports required by sections 19 and 20 of this act have been filed, the court shall schedule a hearing on the petition for adoption upon request of the petitioner for adoption. Notice of the date, time, and place of hearing shall be given to the petitioner and any person or agency whose consent to adoption is required under section 16 of this act, unless the person or agency has waived in writing the right to receive notice of the hearing. Notice shall be given in the manner prescribed by section 31 of this act.

(2) Notice of the adoption hearing shall also be given to any person who or agency which has prepared a preplacement report. The notice shall be given in the manner prescribed by section 24 of this act.

(3) If the court determines, after review of the petition, preplacement and post-placement reports, and other evidence introduced at the hearing, that all necessary consents to adoption are valid or have been dispensed with pursuant to section 17 of this act and that the adoption is in the best interest of the adoptee, the court shall enter a decree of adoption pursuant to section 25 of this act.

(4) If the court determines the petition should not be granted because the adoption is not in the best interest of the child, the court shall make appropriate provision for the care and custody of the child.

NEW SECTION. Sec. 24. The petitioner shall give not less than three days written notice of any proceeding at which a preplacement report will be considered to all agencies, any court approved individual, or any court employee requested by the petitioner to make a preplacement report. The notice shall state the name of the petitioner, the cause number of the proceeding, the time and place of the hearing, and the object of the hearing. Proof of service on the agency or court approved individual in form satisfactory to the court shall be furnished. The agency or court approved individual may appear at the hearing and give testimony concerning any matters relevant to the relinquishment or the adoption and its recommendation as to the fitness of petitioners as parents. The agency or court approved individual may in writing acknowledge notice and state to the court that the agency or court approved individual does not desire to participate in the hearing or the agency or court approved individual may in writing waive notice of any hearing.

NEW SECTION. Sec. 25. (1) A decree of adoption shall provide, as a minimum, the following information:

- (a) The full original name of the person to be adopted;
- (b) The full name of each petitioner for adoption;
- (c) Whether the petitioner or petitioners are husband and wife, stepparent, or a single parent;
- (d) The full new name of the person adopted, unless the name of the adoptee is not to be changed;
- (e) Information to be incorporated in any new certificate of birth to be issued by the state or territorial registrar of vital records; and
- (f) The adoptee's date of birth and place of birth as determined under subsection (3) of this section.

(2) Except for the names of the person adopted and the petitioner, information set forth in the decree that differs from that shown on the original birth certificate, alternative birth record, or other information used in lieu of such a record shall be included in the decree only upon a clear showing that the information in the original record is erroneous.

(3) In determining the date and place of birth of a person born outside the United States, the court shall:

- (a) If available, enter in the decree the exact date and place of birth as stated in the birth certificate from the country of origin or in the United States department of state's report of birth abroad or in the documents of the United States immigration and naturalization service;

(b) If the exact place of birth is unknown, enter in the decree such information as may be known and designate a place of birth in the country of origin;

(c) If the exact date of birth is unknown, determine a date of birth based upon medical testimony as to the probable chronological age of the adoptee and other evidence regarding the adoptee's age that the court finds appropriate to consider;

(d) In any other case where documents of the United States immigration and naturalization service are not available, the court shall determine the date and place of birth based upon such evidence as the court in its discretion determines appropriate.

NEW SECTION. Sec. 26. The entry of a decree of adoption divests any parent or alleged father who is not married to the adoptive parent or who has not joined in the petition for adoption of all legal rights and obligations in respect to the adoptee, except past-due child support obligations. The adoptee shall be free from all legal obligations of obedience and maintenance in respect to the parent. The adoptee shall be, to all intents and purposes, and for all legal incidents, the child, legal heir, and lawful issue of the adoptive parent, entitled to all rights and privileges, including the right of inheritance and the right to take under testamentary disposition, and subject to all the obligations of a natural child of the adoptive parent.

NEW SECTION. Sec. 27. An order or decree entered under this chapter shall not disentitle a child to any benefit due the child from any third person, agency, state, or the United States. Action under this chapter shall not affect any rights and benefits that a native American child derives from the child's descent from a member of an Indian tribe or band.

NEW SECTION. Sec. 28. After a decree of adoption is entered, as soon as the time for appeal has expired, or if an appeal is taken, and the adoption is affirmed on appeal, the clerk of the court shall transmit to the state registrar of vital statistics a certified copy of the decree, along with any additional information and fees required by the registrar.

NEW SECTION. Sec. 29. Upon receipt of a decree of adoption, the state registrar of vital statistics shall:

(1) Return the decree to the court clerk if all information required by section 25 of this act is not included in the decree;

(2) If the adoptee was born in a state other than Washington, or in a territory of the United States, forward the certificate of adoption to the appropriate health record recording agency of the state or territory of the United States in which the birth occurred;

(3) If the adoptee was born outside of the United States or its territories, issue a new certificate of birth by the office of the state registrar of vital statistics which reflects the information contained in the decree.

NEW SECTION. Sec. 30. The department shall be a depository for statistical data concerning adoption. It shall furnish to the clerk of each county a data card which shall be completed and filed with the clerk on behalf of each petitioner. The clerk shall forward the completed cards to the department which may compile the data and publish reports summarizing the data. A birth certificate shall not be issued showing the petitioner as the parent of any child adopted in the state of Washington until a data card has been completed and filed.

NEW SECTION. Sec. 31. (1) Petitions governed by this chapter shall be served in the same manner as a complaint in a civil action under the superior court civil rules. Subsequent notice, papers, and pleadings may be served in the manner provided in superior court civil rules.

(2) If personal service on the parent or any identified alleged father, either within or without this state, cannot be given, notice shall be given: (a) By registered mail, mailed at least twenty days before the hearing to the person's last known address; and (b) by publication at least once a week for three consecutive weeks with the first publication date at least twenty-five days before the hearing. Publication shall be in a legal newspaper in the city or town of the last known address within the United States and its territories of the parent or alleged father, whether within or without this state, or, if no address is known or the last known address is not within the United States and its territories, in the city or town where the proceeding has been commenced.

(3) Notice and appearance may be waived by the department, an agency, a parent, or an alleged father before the court or in a writing signed under penalty of perjury. The waiver shall contain the current address of the department, agency, parent, or alleged father. The face of the waiver for a hearing on termination of the parent-child relationship shall contain language explaining the meaning and consequences of the waiver and the meaning and consequences of termination of the parent-child relationship. A person or agency who has executed a waiver shall not be required to appear.

(4) If a person entitled to notice is known to the petitioner to be unable to read or understand English, all notices, if practicable, shall be given in that person's native language or through an interpreter.

NEW SECTION. Sec. 32. (1) In deciding whether to grant a petition for adoption of a hard to place child and in reviewing any request for the vacation or modification of a decree of adoption, the superior court shall consider any agreement made or proposed to be made between the department and any prospective adoptive parent for any payment or payments which have been provided or which are to be provided by the department in support of the adoption of such child. Before the date of the hearing on the petition to adopt, vacate, or

modify an adoption decree, the department shall file as part of the adoption file with respect to the child a copy of any initial agreement, together with any changes made in the agreement, or in the related standards.

(2) If the court, in its judgment, finds the provision made in an agreement to be inadequate, it may make any recommendation as it deems warranted with respect to the agreement to the department. The court shall not, however, solely by virtue of this section, be empowered to direct the department to make payment. This section shall not be deemed to limit any other power of the superior court with respect to the adoption and any related matter.

NEW SECTION. Sec. 33. (1) All records of any proceeding under this chapter shall be sealed and shall not be thereafter open to inspection by any person except upon order of the court for good cause shown.

(2) The state registrar of vital statistics may charge a reasonable fee for the review of any of its sealed records.

NEW SECTION. Sec. 34. Department and agency files regarding an adoptee shall be confidential except the department or agency may disclose nonidentifying information necessary for medical purposes upon the receipt of a verified written request for the information from the adoptive parent, the adoptee, or the natural parent.

NEW SECTION. Sec. 35. (1) If a natural parent unsuccessfully petitions to have an adoption set aside, the court shall award costs, including reasonable attorneys' fees, to the adoptive parent.

(2) If a natural parent successfully petitions to have an adoption set aside, the natural parent shall be liable to the adoptive parent for both the actual expenditures and the value of services rendered by the adoptive parents in caring for the child.

(3) A natural parent who has executed a written consent to adoption shall not bring an action to set aside an adoption more than one year after the date the court approved the written consent.

NEW SECTION. Sec. 36. (1) Unless otherwise permitted by court order or statute, it is unlawful for any person, partnership, society, association, or corporation, except the parents, to assume the permanent care and custody of a child. Unless otherwise permitted by court order or statute, it is unlawful for any parent to relinquish or transfer to another person, partnership, society, association, or corporation the permanent care and custody of any child for adoption or any other purpose.

(2) Any relinquishment or transfer in violation of this section shall be void.

(3) Violation of this section is a gross misdemeanor.

NEW SECTION. Sec. 37. Every person, firm, society, association, or corporation receiving, securing a home for, or otherwise caring for a minor child shall transmit to the prospective adopting parent prior to placement and shall make available to all persons with whom a child has been placed by adoption a complete medical report containing all reasonably available information concerning the mental, physical, and sensory handicaps of the child. The report shall not reveal the identity of the natural parents of the child but shall include any reasonably available mental or physical health history of the natural parents that needs to be known by the adoptive parents to facilitate proper health care for the child.

NEW SECTION. Sec. 38. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 291, Laws of 1955 and RCW 26.32.010;

(2) Section 1, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.015;

(3) Section 2, chapter 291, Laws of 1955 and RCW 26.32.020;

(4) Section 3, chapter 291, Laws of 1955, section 2, chapter 134, Laws of 1973, section 26, chapter 42, Laws of 1975-76 2nd ex. sess., section 15, chapter 165, Laws of 1979 ex. sess., section 1, chapter 85, Laws of 1980 and RCW 26.32.030;

(5) Section 2, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.032;

(6) Section 3, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.034;

(7) Section 4, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.036;

(8) Section 5, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.038;

(9) Section 7, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.042;

(10) Section 8, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.044;

(11) Section 9, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.046;

(12) Section 10, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.048;

(13) Section 11, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.052;

(14) Section 12, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.054;

(15) Section 13, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.056;

(16) Section 14, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.058;

(17) Section 6, chapter 291, Laws of 1955, section 16, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.060;

(18) Section 9, chapter 291, Laws of 1955, section 1, chapter 172, Laws of 1971 ex. sess., section 75, chapter 155, Laws of 1979 and RCW 26.32.090;

(19) Section 10, chapter 291, Laws of 1955 and RCW 26.32.100;

(20) Section 11, chapter 291, Laws of 1955, section 38, chapter 292, Laws of 1971 ex. sess. and RCW 26.32.110;

- (21) Section 12, chapter 63, Laws of 1971 ex. sess. and RCW 26.32.115;
 (22) Section 12, chapter 291, Laws of 1955, section 1, chapter 101, Laws of 1979 ex. sess., section 19, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.120;
 (23) Section 14, chapter 291, Laws of 1955 and RCW 26.32.140;
 (24) Section 15, chapter 291, Laws of 1955 and RCW 26.32.150;
 (25) Section 16, chapter 291, Laws of 1955 and RCW 26.32.160;
 (26) Section 2, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.200;
 (27) Section 3, chapter 172, Laws of 1971 ex. sess., section 17, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.210;
 (28) Section 4, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.220;
 (29) Section 5, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.230;
 (30) Section 6, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.240;
 (31) Section 7, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.250;
 (32) Section 8, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.260;
 (33) Section 9, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.270;
 (34) Section 10, chapter 172, Laws of 1971 ex. sess., section 13, chapter 75, Laws of 1977 and RCW 26.32.280;
 (35) Section 10, chapter 134, Laws of 1973, section 32, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.32.300;
 (36) Section 11, chapter 134, Laws of 1973, section 33, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.32.310;
 (37) Section 1, chapter 268, Laws of 1943 and RCW 26.32.900;
 (38) Section 17, chapter 268, Laws of 1943 and RCW 26.32.910;
 (39) Section 26, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.911;
 (40) Section 25, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.915; and
 (41) Section 2, chapter 85, Laws of 1980 and RCW 26.32.916.

NEW SECTION. Sec. 39. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 150, Laws of 1935, section 1, chapter 162, Laws of 1939, section 1, chapter 251, Laws of 1951 and RCW 26.36.010;
 (2) Section 2, chapter 150, Laws of 1935 and RCW 26.36.020;
 (3) Section 3, chapter 150, Laws of 1935 and RCW 26.36.030;
 (4) Section 4, chapter 150, Laws of 1935, section 2, chapter 162, Laws of 1939, section 2, chapter 251, Laws of 1951 and RCW 26.36.040;
 (5) Section 1, chapter 82, Laws of 1970 ex. sess., section 21, chapter 80, Laws of 1977 ex. sess., section 20, chapter 165, Laws of 1979 ex. sess. and RCW 26.36.050;
 (6) Section 6, chapter 150, Laws of 1935 and RCW 26.36.060;
 (7) Section 1, chapter 49, Laws of 1903, section 7, chapter 134, Laws of 1973, section 34, chapter 42, Laws of 1975-76 2nd ex. sess., section 18, chapter 165, Laws of 1979 ex. sess. and RCW 26.37.010;
 (8) Section 2, chapter 49, Laws of 1903, section 44, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.37.020;
 (9) Section 3, chapter 49, Laws of 1903 and RCW 26.37.030;
 (10) Section 4, chapter 49, Laws of 1903 and RCW 26.37.040;
 (11) Section 5, chapter 49, Laws of 1903 and RCW 26.37.050;
 (12) Section 6, chapter 49, Laws of 1903 and RCW 26.37.060;
 (13) Section 7, chapter 49, Laws of 1903 and RCW 26.37.070; and
 (14) Section 8, chapter 49, Laws of 1903 and RCW 26.37.080.

NEW SECTION. Sec. 40. Sections 1 through 37 of this act shall constitute a new chapter in Title 26 RCW.

NEW SECTION. Sec. 41. This act shall take effect January 1, 1985. Any proceeding initiated before the effective date of this act shall be governed by the law in effect on the date the proceeding was initiated.

NEW SECTION. Sec. 42. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 626.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 626 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 626 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Prince - 2.

Engrossed Substitute House Bill No. 626 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.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Grimm, Ebersole and Hankins as conferees on Engrossed House Bill No. 392.

The Speaker appointed Representatives Moon, Appelwick and Van Dyken as conferees on House Bill No. 939.

The Speaker appointed Representatives Pruitt, Fisch and Miller as conferees on Engrossed House Bill No. 1133.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 914 with the following amendments:

On page 4, beginning on line 28 strike all material down to and including the period on line 30.

On page 5, line 32 after "(3)" insert "if the prime contractor complies with section 3 of this act."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 914.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 914 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 914 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King R, Prince - 2.

Engrossed Substitute House Bill No. 914 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1311 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010 are each amended to read as follows:

There is established in the office of the superintendent of public instruction a division of special education for handicapped children, to be known as the division for handicapped children.

Handicapped children are those children in school or out of school who are temporarily or permanently retarded in normal educational processes by reason of physical or mental handicap, or by reason of emotional maladjustment, or by reason of other handicap, and those children who have specific learning and language disabilities resulting from perceptual-motor handicaps, including problems in visual and auditory perception and integration.

The superintendent of public instruction shall require each school district in the state to insure an appropriate educational opportunity for all handicapped children ~~((of common school age))~~ between the ages of five and twenty-one, but when the twenty-first birthday occurs during the school year, the educational program may be continued until the end of that school year. Special education and training programs provided by the state and school districts for handicapped children shall be extended to include preschool age children four years of age and older commencing with the 1984-85 school year and shall be extended to include preschool age children three years of age and older commencing with the 1985-86 school year. The superintendent of public instruction, by rule and regulation, shall establish for the purpose of excess cost funding, as provided in this chapter, RCW 28A.24.100 and 28A.41.053, functional definitions of the various types of handicapping conditions and eligibility criteria for handicapped programs. For the purposes of this chapter, an appropriate education is defined as an education directed to the unique needs, abilities, and limitations of the handicapped children. School districts are strongly encouraged to provide parental training in the care and education of the children and to involve parents in the classroom.

Nothing in this section shall prohibit the establishment or continuation of existing cooperative programs between school districts or contracts with other agencies approved by the superintendent of public instruction, which can meet the obligations of school districts to provide education for handicapped children, or prohibit the continuation of needed related services to school districts by the department of social and health services.

This section shall not be construed as in any way limiting the powers of local school districts set forth in RCW 28A.13.050.

No child shall be removed from the jurisdiction of juvenile court for training or education under this chapter without the approval of the superior court of the county.

NEW SECTION. Sec. 2. Prior to the start of the 1984-85 school year, the superintendent of public instruction shall adopt rules setting standards on the selection and use of a limited number of assessment instruments to establish eligibility for preschool handicapped programs. Prior to the start of the 1984-85 school year, the superintendent of public instruction shall adopt rules revising the eligibility criteria for preschool handicapped programs. The legislature intends that the new rules shall address the following legislative concerns:

(1) The rules setting assessment standards shall result in use of a limited number of appropriate assessment instruments to produce consistent, equitable, and reliable eligibility decisions.

(2) Delays of twenty-five percent or less from chronological age in any two of the developmental areas under WAC 392-171-381 do not constitute an actual handicapping condition requiring early intervention by special education programs. Greater attention shall be directed to defining the scope of the developmental areas and to establishing the extent of a significant delay.

(3) Articulation problems and mild language delays unaccompanied by significant delays in other developmental areas shall be treated as communication disorders under WAC 392-171-391 and not as developmental handicaps under WAC 392-171-381.

(4) Subjective exceptional provisions of WAC 392-171-381 shall be modified or eliminated, including the provision for placement in preschool handicapped programs of children who do not manifest significant developmental delays but who are judged by the assessment team to have a high predictability of future developmental delays.

The superintendent of public instruction shall report in writing to the legislature by December 14, 1984, on the implementation of this section.

Sec. 3. Section 2, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.772 are each amended to read as follows:

Each school district within which there is located a residential school shall, singly or in concert with another school district pursuant to RCW 28A.58.075 and 28A.58.245 or pursuant to chapter 39.34 RCW, each as now or hereafter amended, conduct a program of education, including related student activities, for residents of the residential school. Except as otherwise provided for by contract pursuant to RCW 28A.58.776, as now or hereafter amended, the duties and authority of a school district and its employees to conduct such a program shall be limited to the following:

(1) The employment, supervision and control of administrators, teachers, specialized personnel and other persons, deemed necessary by the school district for the conduct of the program of education;

(2) The purchase, lease or rental and provision of textbooks, maps, audio-visual equipment, paper, writing instruments, physical education equipment and other instructional equipment, materials and supplies, deemed necessary by the school district for the conduct of the program of education;

(3) The development and implementation, in consultation with the superintendent or chief administrator of the residential school or his or her designee, of the curriculum;

(4) The conduct of a program of education, including related student activities, for residents who are five and less than twenty-one years of age until the 1984-85 school year and, commencing with the 1984-85 school year, for residents who are four years of age and less than twenty-one years of age and, commencing with the 1985-86 school year, for residents who are three years of age and less than twenty-one years of age, and have not met high school graduation requirements as now or hereafter established by the state board of education and the school district which includes:

(a) Not less than one hundred and eighty school days each school year;

(b) Special education pursuant to chapter 28A.13 RCW, as now or hereafter amended, and vocational education, as necessary to address the unique needs and limitations of residents; and

(c) Such courses of instruction and school related student activities as are provided by the school district for nonresidential school students to the extent it is practical and judged appropriate for the residents by the school district after consultation with the superintendent or chief administrator of the residential school: PROVIDED, That a preschool special education program may be provided for handicapped residential school students;

(5) The control of students while participating in a program of education conducted pursuant to this section and the discipline, suspension or expulsion of students for violation of reasonable rules of conduct adopted by the school district; and

(6) The expenditure of funds for the direct and indirect costs of maintaining and operating the program of education that are appropriated by the legislature and allocated by the superintendent of public instruction for the exclusive purpose of maintaining and operating residential school programs of education, and funds from federal and private grants, bequests and gifts made for the purpose of maintaining and operating the program of education.

Sec. 4. Section 72.40.040, chapter 28, Laws of 1959 as last amended by section 68, chapter 80, Laws of 1977 ex. sess. and RCW 72.40.040 are each amended to read as follows:

The schools shall be free to residents of the state between the ages of ~~((six))~~ five and twenty-one years until the 1984-85 school year, between the ages of four and twenty-one years commencing with the 1984-85 school year, and between the ages of three and twenty-one years commencing with the 1985-86 school year, and who are blind or deaf, or otherwise sensory handicapped, and who are free from loathsome or contagious diseases: PROVIDED, ~~((That children under the age of six, who are otherwise qualified may be admitted to the school, if in the discretion of the superintendent they are proper persons to receive the training given in the school and the facilities are adequate for proper care, education, and training: PROVIDED FURTHER.))~~ That students over the age of twenty-one years, who are otherwise qualified may be retained at the school, if in the discretion of the superintendent in consultation with the faculty they are proper persons to receive further training given at the school and the facilities are adequate for proper care, education, and training.

NEW SECTION. Sec. 5. There is appropriated to the superintendent of public instruction from the general fund for the biennium ending June 30, 1985, the sum of three hundred seventy thousand dollars or so much thereof as may be necessary to carry out the purposes of this act.

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."

On page 1, line 2 of the title, after "children;" strike the remainder of the title and insert "amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010; amending section 2, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.772; amending section 72.40.040, chapter 28, Laws of 1959 as last amended by section 68, chapter 80, Laws of 1977 ex. sess. and RCW 72.40.040; creating a new section; and making an appropriation."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Galloway, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1311.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1311 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1311 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Dickie, Fuhrman, Hastings, Struthers - 5.

Excused: Representatives King R, Prince - 2.

Engrossed Substitute House Bill No. 1311 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 SENATE BILL NO. 4416, by Committee on Commerce & Labor (originally sponsored by Senators Newhouse, Vognild, Quigg, McManus, Moore and McDonald; by Department of Employment Security request)

Modifying provisions relating to unemployment insurance.

The bill was read the second time.

Mr. Ballard moved adoption of the following amendments by Representatives Ballard, Bond, Schmidt, Nealey, Schoon, West, Van Luven, Hastings and Sanders:

On page 12, beginning on line 3, after "(f)" strike all material through "(g)" on line 7

On page 12, after line 13, insert the following:

"Sec. 8. Section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090 are each amended to read as follows:

(1) An individual shall be disqualified for benefits for any week with respect to which the commissioner finds that ~~(his)~~ the individual's unemployment is due to a ~~((stoppage of work which exists because of a))~~ labor dispute at the factory, establishment, or other premises at which ~~((he))~~ the individual is or was last employed~~((PROVIDED-That))~~.

(2) Subsection (1) of this section shall not apply if it is shown to the satisfaction of the commissioner that:

~~((1-he))~~ (a) The individual is not participating in or financing or directly interested in the labor dispute ((which caused the stoppage of work:)), and ((2-he)) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the ((stoppage)) labor dispute, there were members employed at the premises at which the ((stoppage)) labor dispute occurs, any of whom are participating in or financing or directly interested in the dispute((PROVIDED-That)); or

(b) The individual is unemployed due to a lockout by his or her employer, except for lockouts by employers who are members of a multi-employer bargaining unit if the employees locked out belong to the same bargaining unit which has struck a member of the multi-employer bargaining unit; or

(c) The labor dispute has been settled by the negotiating parties, or the labor organization has provided written notice to the employer that the labor dispute is terminated.

(3) For the purposes of this section, if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate

departments of the same premises, each such department shall (~~for the purpose of this subdivision~~;) be deemed to be a separate factory, establishment, or other premises."

Renumber the remaining sections and correct internal references accordingly.

MOTION

On motion of Mr. Heck, further consideration of Substitute Senate Bill No. 4416 was deferred and the bill was ordered placed at the bottom of tomorrow's second reading calendar.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1613 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 28C.04 RCW a new section to read as follows:

(1) The commission for vocational education, in consultation with representatives from the state board for community college education and the superintendent of public instruction and representatives from business, industry, and labor organizations having an interest in vocational education, shall devise a recognition program comparable to the Washington scholars program under RCW 28A.58.820 through 28A.58.830 for outstanding accomplishments by vocational education students. The vocational education student recognition program shall be effective starting with the 1985-86 school year.

(2) The commission may accept any and all donations, grants, bequests, and devises, conditional or otherwise, or money, property, service, or other things of value which may be received from any federal, state, or local agency, any institution, person, firm, or corporation, public and private, to be held, used, or applied for the purposes of the recognition program for vocational students. The commission shall encourage maximum participation from business, labor, and community groups. The commission shall also coordinate, where feasible, the contribution activity of the various participants.

NEW SECTION, Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

Secondary vocational education students recognized for outstanding performance under section 1 of this act are eligible for two consecutive years of tuition and fee waivers at state institutions of higher education or fee waivers at a public vocational technical institute post-secondary education program commenced within five years after the award is received."

On page 1, on line 2 of the title, after "excellence," strike the remainder of the title and insert "adding a new section to chapter 28C.04 RCW; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Burns, the House refused to concur in the Senate amendments to Substitute House Bill No. 1613 and asked for a conference thereon.

SENATE AMENDMENT TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1636 with the following amendment:

On page 4, line 33 strike "three hundred twenty-five" and insert "one hundred" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. J. King, the House refused to concur in the Senate amendment to Engrossed House Bill No. 1636, and asked the Senate for a conference thereon.

The Speaker called on Mr. O'Brien to preside.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1637 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Board' means the nuclear waste board established in RCW 43.200.040.

(2) 'Federal department of energy' means the federal department of energy or any successor agency assigned responsibility for the long-term disposal of high-level radioactive waste.

(3) 'High-level radioactive waste' means 'high-level radioactive waste' as the term is defined in 42 U.S.C. Sec. 10101 (P.L. 97-425).

(4) 'Department' means the department of ecology.

Sec. 2. Section 2, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.020 are each amended to read as follows:

The (~~department of ecology is herein designated as the executive branch agency to~~) nuclear waste board shall carry out the authority and responsibility set forth in this chapter (including). ~~The department of ecology is designated as the executive branch agency for participation in the federal nuclear waste policy act of 1982 and the federal low-level radioactive waste policy act of 1980, however the legislature retains an autonomous role with respect to participation in all aspects of the federal nuclear waste policy act of 1982. The board and the department may receive federal financial assistance for carrying out radioactive waste management activities, including assistance for expenses, salaries, travel, and monitoring and evaluating the program of repository exploration and siting undertaken by the federal government.~~

The (~~department~~) board shall submit a written report at least semiannually to the governor and to each member of the legislature on the radioactive waste program, its progress in carrying out its responsibilities, and any recommendations for legislative or administrative action that will improve the state's management and control activity in maximizing public health and safety.

NEW SECTION. Sec. 3. (1) The board shall be responsible for identifying and reviewing state agency policies relating to the management of radioactive wastes; analyzing recommendations of the advisory council to determine how state agencies may be responsive to the needs of the board in carrying out its duties under this chapter; determining ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the state to effectively evaluate federal actions; reviewing the activities of advisory and technical committees; studying the need for additional advisory and technical committees; and participating in the consultation and concurrence process provided for in the federal waste management act of 1982 and assisting the department to participate in the low-level waste policy act of 1980 and to monitor and comment on decisions of the northwest interstate compact committee on low-level radioactive waste management.

(2) The board shall disseminate or arrange with the federal department of energy or other federal agency to disseminate information received pursuant to its activities under this chapter to the legislature, appropriate state agencies, local units of government, regional planning commissions, American Indian tribal governing bodies, the radioactive waste advisory council, and persons who have requested in writing to receive this information.

(3) The board shall serve as a spokesman on behalf of the citizens of this state before the federal department of energy and other federal agencies on matters related to the disposal of high-level radioactive waste.

(4) The board shall promote and coordinate through the radioactive waste advisory council educational programs which provide information on the nature of high-level radioactive waste, the disposal of these wastes, the activities of the board, the activities of the federal department of energy and other federal agencies related to the disposal of high-level radioactive waste, and the opportunities of the public to participate in procedures and decisions related to the disposal of high-level radioactive waste.

(5) The board shall monitor activity in congress and the federal government related to the disposal of high-level radioactive waste. The board may advise the congressional delegation from this state of action which is needed to protect the interests of the state.

(6) The board may request and delegate to the department the undertaking of any of the activities assigned to the board by the provisions of this chapter. The board may delegate administrative matters to the department to assist the board in carrying out its activities under this chapter.

Sec. 4. Section 3, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.030 are each amended to read as follows:

All departments, agencies, and officers of this state and its subdivisions shall cooperate with the ~~((department)) board~~ in the furtherance of any of its activities pursuant to this chapter.

Sec. 5. Section 4, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.040 are each amended to read as follows:

(1) There is hereby created a nuclear waste ~~((policy and review)) board ((to assist the department in carrying out its responsibilities under this chapter))~~. The board shall consist of the following members: The chairman of the advisory council who shall also serve as chairman of the review board, the director of ~~((the department)) ecology~~ or the director's designee, the director of the energy office or the director's designee, the commissioner of public lands or the commissioner's designee, the secretary of social and health services or the secretary's designee, the chairman of the energy facility site evaluation council or the chairman's designee, the director of the Washington state water research center or the director's designee, four members of the state senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker, who shall be selected from each of the caucuses in each house, but no more than two members of each house shall be of the same political party. Legislative members shall be ex officio nonvoting members of the board and shall serve while members of the legislature, at the pleasure of the appointing officer.

~~((The board shall be responsible for identifying and reviewing state agency policies relating to the management of radioactive wastes; analyzing recommendations of the advisory council to determine how state agencies may be responsive to the needs of the department in carrying out its duties under this chapter; assisting the department in determining ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the governor to effectively evaluate federal actions; reviewing the activities of advisory and technical committees created by the governor; advising the director on the need for additional advisory and technical committees; and assisting the department to participate in the consultation and concurrence process provided for in the federal waste management act of 1982 and the low-level waste policy act of 1980 and to monitor and comment on decisions of the northwest interstate compact committee on low-level radioactive waste management:))~~

(2) Nonlegislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120. The legislature shall seek reimbursement from available sources, including the federal government, for legislative expenditures incurred pursuant to the provisions of this ~~((act)) chapter~~.

Sec. 6. Section 5, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.050 are each amended to read as follows:

(1) An advisory council is hereby established of not less than fifteen members appointed by the governor to provide advice, counsel, and recommendations to the ~~((department)) board~~ on all aspects of the radioactive waste management program. The council shall particularly advise the ~~((department)) board~~ on maximizing opportunities for public involvement in the program, soliciting public input, and assisting in the need for wide understanding of the issues involved in nuclear waste management. The governor shall appoint the chairman of the advisory council who shall also serve as chairman of the nuclear waste ~~((policy and review))~~ board. Members of the council shall be selected from all areas of the state and shall include a broad range of citizens, representatives of local governments, and representatives of such other interests as the governor determines will best further the purposes of this chapter. A representative of an affected Indian tribe may be an ex officio nonvoting member of the council. Terms of council members shall not exceed two years and they shall continue to serve until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members may be reappointed. The governor may appoint a replacement for any council member who is temporarily unable to fulfill the responsibilities required of a council member. The replacement shall serve at the pleasure of the governor. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

Sec. 7. Section 6, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.060 are each amended to read as follows:

The ~~((department)) board~~ may establish such additional advisory and technical committees as it deems necessary. Members of any advisory or technical committee established under this section may receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

Sec. 8. Section 7, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.070 are each amended to read as follows:

The board and/or the department of ecology ~~((is))~~ are authorized to adopt such rules as are necessary to carry out ~~((its responsibility)) responsibilities~~ under this chapter. The department of social and health services is authorized to adopt such rules as are necessary to carry out its responsibilities under chapter 43.145 RCW.

NEW SECTION. Sec. 9. (1) The board shall be the lead agency in negotiations and shall negotiate agreements and modifications to agreements with the federal department of energy. The legislature may appoint one or more representatives to participate in the negotiations. Additionally the board shall consult with the radioactive waste advisory council, the department of ecology, and the legislature during the negotiation of any agreement or modification to an agreement with the federal department of energy.

(2) The board shall conduct more than one public hearing on any proposed agreement or modification to an agreement negotiated under subsection (1) of this section. The board shall provide fourteen days notice of the date and location of hearings conducted under this subsection. The board shall prepare a written summary of testimony presented at hearings conducted under this subsection and shall consider the need for modifications to the negotiated agreement as a result of the hearings.

(3) No agreement or modification to an agreement negotiated under subsection (1) of this section may take effect unless it is recommended to be approved by a majority of the members of the full board.

(4) No agreement or modification to an agreement negotiated under subsection (1) of this section may take effect unless it is reviewed under section 10 of this act.

(5) In performing their responsibilities under this section, the board and its membership shall use good faith efforts and their best judgments to: (a) Develop an ongoing program to inform the public of its actions and to address concerns of the public as they arise; (b) insure, to the maximum extent feasible, that:

(i) No right or opportunity for participation to which the state is entitled under the Nuclear Waste Policy Act of 1982 (42 U.S.C. Sec. 10101 et seq.) be waived by written agreement;

(ii) The state be afforded adequate remedies in the event of breach of the written agreement;

(iii) Wherever possible, the state obtain through agreement additional rights and privileges which are not inconsistent with the Nuclear Waste Policy Act;

(iv) The written agreement incorporate the funding under provisions of section 116 of the Nuclear Waste Policy Act as a federal contractual obligation with the state of Washington;

(v) The written agreement contains provisions specifying the level of funding that the state will receive from the United States department of energy under the Nuclear Waste Policy Act with respect to but not limited to public health and safety, environmental, socioeconomic, and related impacts which are anticipated at the time of agreements; allows for cost escalation and scope of project changes; and further contains provisions specifying how the amount of funding will be determined with respect to later environmental, socioeconomic and related impacts;

(vi) The consultation and cooperation agreement provided for in the Nuclear Waste Policy Act be executed by the earliest possible date reasonably attainable in order that the state be adequately protected by such agreement at all points in the federal-state relationship; and

(vii) The Washington state legislature be fully apprised of the status of the negotiation of the written agreement.

NEW SECTION. Sec. 10. (1) The board shall submit any written agreement or modification of an agreement recommended to be approved by the board and approved by the federal department of energy to the governor, the speaker of the house of representatives, the president of the senate, and to the chairs of the energy and utilities committees of the house of representatives and the senate.

(2) The energy and utilities committees of the house of representatives and the senate shall review the proposed written agreement or modification to an agreement on behalf of the legislature within thirty days after receipt of the board recommendation under subsection (1) of this section. The committees may recommend approval or disapproval of the written agreement or modification of the agreement via a concurrent resolution if the legislature is in session to the speaker of the house of representatives and the president of the senate for review by the legislature. If the legislature is not in session, the committees may recommend approval or disapproval of the written agreement or modification of the agreement by a written statement from either committee to the speaker of the house and/or the president of the senate.

(3) The board may execute an agreement or modification recommended under subsection (1) of this section at any time after sixty days of receipt of the agreement or modification as provided in subsection (2) of this section unless, prior to its execution, the board receives a disapproval thereto embodied in either a concurrent resolution if the legislature is in session or a written statement from either committee if the legislature is not in session.

NEW SECTION. Sec. 11. (1) The board may negotiate what in the board's judgment are technical revisions to any agreement approved under section 10 of this act.

(2) No technical revision to an agreement negotiated under subsection (1) of this section may take effect unless it is recommended to be approved by a majority of the members of the full board.

(3) No technical revision to an agreement negotiated under subsection (1) of this section may take effect unless it is considered approved under section 12 of this act.

NEW SECTION. Sec. 12. (1) The board shall submit any technical revision to a written agreement negotiated under section 11(1) of this act, approved by the board and approved

by the federal department of energy or other federal agency, to the presiding officer of each house of the legislature and to the governor.

(2) Each presiding officer shall refer the technical revision to the committee on energy and utilities of the appropriate house within seven working days after the day on which the revision is received. Each presiding officer shall cause a statement to appear in the journal of the appropriate house that a technical revision to an agreement approved under section 10 of this act is submitted for review.

(3) Either committee on energy and utilities may object to the technical revision by taking action in executive session within thirty days after the revision is referred to the committee. If a committee objects to the revision, it shall submit a written notice of the objection to the presiding officer of that house for review by the legislature. The presiding officer shall cause the written notice of the objection to appear in the journal of the appropriate house. If the legislature is not in session, the committees shall transmit a written notice of the objection to the presiding officer of each house.

(4) The governor may object to the technical revision by taking action within thirty days after the revision is received. If the governor objects to the revision, the governor shall submit a written notice of the objection to the presiding officer of each house of the legislature and each presiding officer shall cause the written notice of the objection to appear in the journal of the respective house.

(5) If neither committee nor the governor objects to a technical revision within the thirty-day review period, the revision is considered approved and shall take effect.

NEW SECTION, Sec. 13. (1) If the federal department of energy recommends a site in the state to the president of the United States for the development of a repository for the long-term disposal of high-level radioactive waste, the board shall review the selected site. The review shall include a full review of the adequacy of the selected site. The board shall solicit written comments on the selected site from the radioactive waste advisory council. The board shall use recognized experts in conducting its review. The board shall conduct more than one public hearing concerning the selected site and shall make available to the public arguments and evidence for and against the selected site. The board shall provide at least fourteen days notice of the date and location of the public hearings. The board shall solicit comments from appropriate state agencies, local units of government, regional planning commissions, American Indian tribal governing bodies, the general public, and interested citizen groups on the adequacy of the selected site. The board shall make these comments available to the public.

(2) After completing this review but not later than fifteen days after the date on which the president recommends a site for repository development to the congress, the board shall submit a recommendation to the speaker of the house of representatives, the president of the senate, the governor, and the committees on energy and utilities of the house of representatives and senate on whether the state should accept the site selected by the federal department of energy. The recommendation to the speaker of the house of representatives and the president of the senate shall be accompanied by a request for the introduction of a concurrent resolution to approve the site selected or by a request for the introduction of a concurrent resolution to disapprove the site.

(3) Pursuant to Article II, section 12 of the state Constitution, the secretary of the senate and the chief clerk of the house of representatives shall poll the members of the legislature if the president recommends a site in the state for the development of a repository for disposal of high-level radioactive waste to determine if the legislature desires a special session to address the repository site selection issue.

(4) The energy and utilities committees of the house of representatives and the senate shall review the board's recommendation within thirty days after receipt of the board's recommendation under subsection (2) of this section. The committees may recommend approval or disapproval of the recommendation or modification of the recommendation via a concurrent resolution if the legislature is in session to the speaker of the house of representatives and the president of the senate for review and action by the full legislature. If the legislature is not in session and has not convened a special session pursuant to subsection (3) of this section, the committees may recommend approval or disapproval of the written agreement or modification of the agreement by a written statement from either committee submitted to the speaker of the house and/or the president of the senate.

(5) After the governor or the legislature take action under subsection (4) of this section, the chief clerk of the house of origin or the governor shall notify the board of the action taken and the board shall send a report to the president of the United States, the members of the United States senate, the members of the United States house of representatives, the federal department of energy, and other appropriate federal agencies. The report shall contain a summary of the review undertaken by the board in accordance with subsection (1) of this section, the recommendation made by the board under subsection (2) of this section, and the action of the legislature under subsection (4) of this section.

NEW SECTION, Sec. 14. The department shall provide administrative and technical staff support as requested by the board. As directed by the board, the department shall be responsible for obtaining and coordinating technical expertise necessary for board participation in

nuclear waste programs and shall be responsible for ongoing technical coordination and administration of program activities. Other state agencies shall assist the board in fulfilling its duties to the fullest extent possible. The board and/or the department may contract with other state agencies to obtain expertise or input uniquely available from that agency.

Sec. 15. Section 10, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.900 are each amended to read as follows:

The rules of strict construction do not apply to this ((act)) chapter and it shall be liberally construed in order to carry out the objective for which it is designed, in accordance with the legislative intent to give the ((department of ecology)) board the maximum possible freedom in carrying the provisions of this ((act)) chapter into effect.

NEW SECTION. Sec. 16. Sections 1, 3, and 9 through 14 of this act are each added to chapter 43.200 RCW.

NEW SECTION. Sec. 17. 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. 18. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 10 of the title, after "section;" strike "and"

On page 1, on line 11 of the title, after "RCW" insert "; and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. D. Nelson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1637.

Mr. D. Nelson spoke in favor of the motion, and Representatives Isaacson and Long spoke against it.

Mr. D. Nelson spoke again in favor of the motion.

POINT OF INQUIRY

Ms. Long yielded to question by Mr. Ballard.

Mr. Ballard: "Representative Long, could you explain to me what the minimum level of funding is as described in this bill?"

Ms. Long: "There isn't one the way it came from the Senate. When we sent it over there, it said clearly that--let me explain to you that we try to anticipate in advance what all of the costs might be. There's no way we can do that. We can do our very best, but we had one little word in there--'minimum level'--that was stricken and we had it in there for a reason. We had it in there in case there was something we had not thought of to get in the contract and that needs to be put back in to protect all of us."

Mr. Ballard spoke against the motion to concur, and Representatives Isaacson and Long again opposed the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1637, and the motion was carried by the following vote: Yeas, 50; nays, 46; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luvan, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representatives King R, Prince - 2.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1637 as amended by the Senate.

Mr. D. Nelson spoke in favor of passage of the bill, and Mr. Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1637 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 33; excused, 2.

Vote: Representatives Addison, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 63.

Vote: Representatives Allen, Barnes, Barrett, Betzoff, Bond, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Miller, Nealey, Nelson G, Padden, Schoon, Smith C, Smith L, Struthers, Taylor, Van Luven, Vander Stoep, West, Williams B, Williams J - 33.

Excused: Representatives King R, Prince - 2.

Engrossed Substitute House Bill No. 1637 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1655 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that on-site child day care for employees of public and private organizations is a worthwhile pursuit. To further the goals of affordable, accessible, and quality child care for working parents, the legislature intends to establish a self-supporting child care demonstration project for employees of state government. The legislature recognizes that appropriate child day care services may enhance productivity and lower absenteeism among state employees.

NEW SECTION. Sec. 2. The department of general administration shall identify an amount of suitable space in state-owned or state-leased buildings in the Olympia area for use as child day care centers for the children of state employees.

The department of general administration shall establish a fair rental rate for the organization to pay for the space used.

NEW SECTION. Sec. 3. (1) The department of personnel shall conduct a needs assessment to determine the need for and interest in child day care facilities for the children of state employees;

(2) The department of personnel shall determine the number of children which may participate in the demonstration project required under sections 1 through 3 of this act; and

(3) If the suitable space is determined to be available, the department of personnel shall contract with one or more organizations to operate child day care facilities for the children identified under this section. Such facilities may be located in one or more buildings as identified under section 2 of this act.

NEW SECTION. Sec. 4. The department of general administration and the department of personnel shall report on the project to the state government committees of the senate and house of representatives at the following times:

(1) Upon completion of the needs care assessment;

(2) After space has been identified in buildings and child day care programs are established; and

(3) After six months of operation of the child day care programs.

NEW SECTION. Sec. 5. There is appropriated from the general fund to the department of personnel for the Biennium ending June 30, 1985, the sum of forty-five thousand dollars, or so much thereof as may be necessary, to conduct a needs assessment to determine the need for and interest in child day care services for state employees and for start-up costs to implement this act.

NEW SECTION. Sec. 6. Sections 1 through 3 of this act are each added to chapter 41.04 RCW.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Niemi moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1655.

Representatives Niemi and Belcher spoke in favor of the motion, and Representatives Hankins, Padden and Fuhrman spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1655, and the motion was carried by the following vote: Yeas, 57; nays, 39; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Addison, Ballard, Barrett, Betzozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, West, Williams B, Williams J, Wilson - 39.

Excused: Representatives King R, Prince - 2.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1655 as amended by the Senate.

Representatives Padden, Nealey and Van Luven spoke against passage of the bill, and Representative Lewis spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1655 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 33; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Ballard, Barnes, Barrett, Betzozoff, Bond, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Mitchell, Nealey, Nelson G, Padden, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Luven, West, Williams B, Williams J, Wilson - 33.

Excused: Representatives King R, Prince - 2.

Engrossed Substitute House Bill No. 1655 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.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Burns, Silver and Powers as conferees on Substitute House Bill No. 1613.

The Speaker (Mr. O'Brien presiding) appointed Representatives J. King, Ellis and B. Williams as conferees on Engrossed House Bill No. 1636.

MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Thursday, March 1, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, March 1, 1984

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dena McCormick and Tony Wisdom. Prayer was offered by Deacon Larry Sullivan of St. Peter's Church of Tenino.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3098, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

February 29, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 217,
 SUBSTITUTE HOUSE BILL NO. 857,
 SUBSTITUTE HOUSE BILL NO. 915,
 SUBSTITUTE HOUSE BILL NO. 1083,
 SUBSTITUTE HOUSE BILL NO. 1127,
 HOUSE BILL NO. 1135,
 SUBSTITUTE HOUSE BILL NO. 1164,
 SUBSTITUTE HOUSE BILL NO. 1205,
 SUBSTITUTE HOUSE BILL NO. 1213,
 HOUSE BILL NO. 1248,
 SUBSTITUTE HOUSE BILL NO. 1282,
 HOUSE BILL NO. 1413,
 HOUSE BILL NO. 1427,
 SUBSTITUTE HOUSE BILL NO. 1439,
 SUBSTITUTE HOUSE BILL NO. 1456,
 SUBSTITUTE SENATE BILL NO. 3098,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 29, 1984

Mr. Speaker:

The Senate has granted the request of the House for a Conference on SUBSTITUTE HOUSE BILL NO. 1449 and the Senate amendments thereto, and the President has appointed as Senate conferees: Senators Gaspard, Bauer, Lee.

Sidney R. Snyder, Secretary.

February 29, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills and has passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 3868,
 SENATE BILL NO. 4489,
 ENGROSSED SENATE BILL NO. 4852,

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-133, by Representatives L. Smith, B. Williams and Tanner

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Kelso High School Band won the Class AA State Band competition for the second consecutive year in 1983; and

WHEREAS, Band Director Tom Hope and his assistants should be commended for their great contributions of time and effort to the teaching profession and the music curriculum at Kelso High School; and

WHEREAS, Many accomplished musicians maintaining their constant discipline and competitive drive continue this motivation throughout their lives to become very successful citizens of this country; and

WHEREAS, A good blend of art and academics makes for a well-rounded experience for all of the students at Kelso High School;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Kelso High School State Band Champions be commended on their great success; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Tom Hope, Kelso High School Band Director.

Mr. B. Williams moved adoption of the resolution. Representatives B. Williams and Taylor spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-150, by Representatives Haugen and Wilson

WHEREAS, Dairy products are an important part of everyone's daily nutritional needs; and

WHEREAS, Washington State is the national leader in the amount of milk produced by each cow; and

WHEREAS, Joe and Maryann Youngren have been in the dairy business in Washington for thirty-three years; and

WHEREAS, They began their dairy operation with just forty cows, and have expanded to a herd of two hundred seventy-seven milking cows; and

WHEREAS, The Youngren farm is a family operation, and the family is an important and integral part of the dairy farm; and

WHEREAS, The Youngren family, Maryann, Joe, Barbara, Joe, Lyndsie, Steve, Scott, Robbyn, and Rodney, has been selected as the Washington Dairy Family of the Year; and

WHEREAS, The Youngren family was selected on the basis of their farm management, community service and family involvement;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the entire Youngren family be recognized, by the adoption of this Resolution, for their contributions to the health and well-being of the citizens of the State of Washington, for their efforts and service to the community, and for the honor of selection as the Washington Dairy Family of the Year; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the Youngren family.

Ms. Haugen moved adoption of the resolution. Representatives Haugen, C. Smith and Wilson spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-151, by Representatives Tilly, Ballard and Grimm

WHEREAS, Joe Brownlow is retiring as manager of the Washington State Apple Commission on April 30, 1984; and

WHEREAS, Joe Brownlow began his thirty-two-year service to the apple industry in 1952 as the Publicity Director and worked his way through Merchandising Director, Director of Advertising and Merchandising, and Assistant Manager

until he became the Manager in June, 1963, in which position he continued until now; and

WHEREAS, The Washington apple industry has grown from shipping 20,014,000 boxes to the fresh market in 1952 when Joe began work with the Commission to over 52,000,000 boxes this year and has changed from apple sales being seasonal to where apples now are a prominent part of all supermarket produce sections all year; and

WHEREAS, The Washington State Apple Commission was formed in 1937 in a response to the need to expand the market for Washington apples; and

WHEREAS, The Commission is solely supported by industry fees levied at the rate of less than three cents per packed box in 1952, and about fifteen cents per box today for a total annual budget of \$7.8 million and has spent \$60,500,000 through August 31, 1983, promoting crisp, quality Washington apples throughout the country and overseas; and

WHEREAS, Joe Brownlow has been a key leader in the apple industry during this period of growth and change; and

WHEREAS, Joe Brownlow has been recognized for his leadership by being named Apple Man of the Year by the International Apple Institute in 1963 and 1964, Apple Man of the Year by the Vance Publishing Company (publisher of the trade magazines, "The Grower" and "The Packer") in 1964, Produce Marketing Man of the Year by the Vance Publishing Company in 1975, Produce Merchandising Man of the Year by the Produce Marketing Association in 1976, and the Produce Man for All Seasons by the Vance Publishing Company this year;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives join those organizations in recognizing Joe Brownlow for his long and active service to the Washington apple industry, commend him for his dedication, leadership and inspiration to others in the industry, and wish him happiness and a sense of satisfaction for a job well done during his years of retirement; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded to Joe Brownlow.

Mr. Tilly moved adoption of the resolution. Representatives Tilly and Ballard spoke in favor of the resolution, and it was adopted.

SENATE AMENDMENTS TO HOUSE BILL

February 21, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1163 with the following amendments:

Strike everything after the enacting clause, and insert the following:

"Sec. 1. Section 1, chapter 236, Laws of 1963 as last amended by section 7, chapter 158, Laws of 1983 and RCW 63.14.010 are each amended to read as follows:

In this chapter, unless the context otherwise requires:

(1) 'Goods' means all chattels personal when purchased primarily for personal, family, or household use and not for commercial or business use, but not including money or, except as provided in the next sentence, things in action. The term includes but is not limited to merchandise certificates or coupons, issued by a retail seller, to be used in their face amount in lieu of cash in exchange for goods or services sold by such a seller and goods which, at the time of sale or subsequently, are to be so affixed to real property as to become a part thereof, whether or not severable therefrom;

(2) 'Lender credit card' means a card or device under a lender credit card agreement pursuant to which the issuer gives to a cardholder residing in this state the privilege of obtaining credit from the issuer or other persons in purchasing or leasing property or services, obtaining loans, or otherwise, and the issuer of which is not: (a) Principally engaged in the business of selling goods; or (b) a financial institution;

(3) 'Lender credit card agreement' means an agreement entered into or performed in this state prescribing the terms of retail installment transactions pursuant to which the issuer may, with the buyer's consent, purchase or acquire one or more retail sellers' indebtedness of the buyer under a sales slip or memorandum evidencing the purchase, lease, loan, or otherwise to be paid in accordance with the agreement. The issuer of a lender credit card agreement shall not be principally engaged in the business of selling goods or be a financial institution;

(4) 'Financial institution' means any bank or trust company, mutual savings bank, credit union, or savings and loan association organized pursuant to the laws of any one of the United

States of America or the United States of America, or the laws of a foreign country if also qualified to conduct business in any one of the United States of America or pursuant to the laws of the United States of America;

((5)) (6) 'Services' means work, labor, or services of any kind when purchased primarily for personal, family, or household use and not for commercial or business use whether or not furnished in connection with the delivery, installation, servicing, repair, or improvement of goods and includes repairs, alterations, or improvements upon or in connection with real property, but does not include services for which the price charged is required by law to be determined or approved by or to be filed, subject to approval or disapproval, with the United States or any state, or any department, division, agency, officer, or official of either as in the case of transportation services;

((3)) (6) 'Retail buyer' or 'buyer' means a person who buys or agrees to buy goods or obtain services or agrees to have services rendered or furnished, from a retail seller;

((4)) (7) 'Retail seller' or 'seller' means a person engaged in the business of selling goods or services to retail buyers;

((5)) (8) 'Retail installment transaction' means any transaction in which a retail buyer purchases goods or services from a retail seller pursuant to a retail installment contract ((or)), a retail charge agreement, or a lender credit card agreement, as defined in this section, which provides for a service charge, as defined in this section, and under which the buyer agrees to pay the unpaid balance in one or more installments or which provides for no service charge and under which the buyer agrees to pay the unpaid balance in more than four installments;

((6)) (9) 'Retail installment contract' or 'contract' means a contract, other than a retail charge agreement, a lender credit card agreement, or an instrument reflecting a sale made pursuant thereto, entered into or performed in this state for a retail installment transaction. The term 'retail installment contract' may include a chattel mortgage, a conditional sale contract, and a contract in the form of a bailment or a lease if the bailee or lessee contracts to pay as compensation for their use a sum substantially equivalent to or in excess of the value of the goods sold and if it is agreed that the bailee or lessee is bound to become, or for no other or a merely nominal consideration, has the option of becoming the owner of the goods upon full compliance with the provisions of the bailment or lease. The term 'retail installment contract' does not include: (a) A 'consumer lease,' heretofore or hereafter entered into, as defined in RCW 63.10.020; or (b) a lease which would constitute such 'consumer lease' but for the fact that: (i) It was entered into before April 29, 1983; (ii) the lessee was not a natural person; (iii) the lease was not primarily for personal, family, or household purposes; or (iv) the total contractual obligations exceeded twenty-five thousand dollars;

((7)) (10) 'Retail charge agreement,' 'revolving charge agreement,' or 'charge agreement' means an agreement entered into or performed in this state prescribing the terms of retail installment transactions which may be made thereunder from time to time and under the terms of which a service charge, as defined in this section, is to be computed in relation to the buyer's unpaid balance from time to time;

((8)) (11) 'Service charge' however denominated or expressed, means the amount which is paid or payable for the privilege of purchasing goods or services to be paid for by the buyer in installments over a period of time. It does not include the amount, if any, charged for insurance premiums, delinquency charges, attorneys' fees, court costs, or official fees;

((9)) (12) 'Sale price' means the price for which the seller would have sold or furnished to the buyer, and the buyer would have bought or obtained from the seller, the goods or services which are the subject matter of a retail installment transaction. The sale price may include any taxes, registration and license fees, and charges for transferring vehicle titles, delivery, installation, servicing, repairs, alterations, or improvements;

((10)) (13) 'Official fees' means the amount of the fees prescribed by law for filing, recording, or otherwise perfecting, and releasing or satisfying, a retained title, lien, or other security interest created by a retail installment transaction;

((11)) (14) 'Time balance' means the principal balance plus the service charge;

((12)) (15) 'Principal balance' means the sale price of the goods or services which are the subject matter of a retail installment contract less the amount of the buyer's down payment in money or goods or both, plus the amounts, if any, included therein, if a separate identified charge is made therefor and stated in the contract, for insurance and official fees;

((13)) (16) 'Person' means an individual, partnership, joint venture, corporation, association, or any other group, however organized;

((14)) (17) 'Rate' means the percentage which, when multiplied times the outstanding balance for each month or other installment period, yields the amount of the service charge for such month or period.

Sec. 2. Section 9, chapter 236, Laws of 1963 and RCW 63.14.090 are each amended to read as follows:

The holder of any retail installment contract ((or)), retail charge agreement, or lender credit card agreement may not collect any delinquency or collection charges, including any attorney's fee and court costs and disbursements, unless the contract ((or)), charge agreement, or lender credit card agreement so provides. In such cases, the charges shall be reasonable.

and no attorney's fee may be recovered unless the contract ~~((or)), charge agreement, or lender credit card agreement~~ is referred for collection to an attorney not a salaried employee of the holder.

The contract ~~((or)), charge agreement, or lender credit card agreement~~ may contain other provisions not inconsistent with the purposes of this chapter, including but not limited to provisions relating to refinancing, transfer of the buyer's equity, construction permits, and title reports.

Sec. 3. Section 12, chapter 236, Laws of 1963 as last amended by section 4, chapter 77, Laws of 1981 and RCW 63.14.120 are each amended to read as follows:

(1) At or prior to the time a retail charge agreement or lender credit card agreement is made the seller shall advise the buyer in writing, on the application form or otherwise, or orally that a service charge will be computed on the outstanding balance for each month (which need not be a calendar month) or other regular period agreed upon, the schedule or rate by which the service charge will be computed, and that the buyer may at any time pay his or her total unpaid balance: PROVIDED, That if this information is given orally, the seller shall, upon approval of the buyer's credit, deliver to the buyer or mail to ~~(him at his)~~ the buyer's address, a memorandum setting forth this information.

(2) The seller or holder of a retail charge agreement or lender credit card agreement shall promptly supply the buyer with a statement as of the end of each monthly period (which need not be a calendar month) or other regular period agreed upon, in which there is any unpaid balance thereunder, which statement shall set forth the following:

(a) The unpaid balance under the retail charge agreement or lender credit card agreement at the beginning and at the end of the period;

(b) Unless otherwise furnished by the seller to the buyer by sales slip, memorandum, or otherwise, a description or identification of the goods or services purchased during the period, the sale price, and the date of each purchase;

(c) The payments made by the buyer to the seller and any other credits to the buyer during the period;

(d) The amount, if any, of any service charge for such period; and

(e) A legend to the effect that the buyer may at any time pay his or her total unpaid balance.

(3) Every retail charge agreement shall contain the following notice in ten point bold face type or larger directly above the space reserved in the charge agreement for the signature of the buyer: NOTICE TO BUYER:

(a) Do not sign this retail charge agreement before you read it or if any spaces intended for the agreed terms are left blank.

(b) You are entitled to a copy of this charge agreement at the time you sign it.

(c) You may at any time pay off the full unpaid balance under this charge agreement.

(d) You may cancel any purchases made under this charge agreement if the seller or his representative solicited in person such purchase, and you sign an agreement for such purchase, at a place other than the seller's business address shown on the charge agreement, by sending notice of such cancellation by certified mail return receipt requested to the seller at his address shown on the charge agreement, which notice shall be posted not later than midnight of the third day (excluding Sundays and holidays) following your signing of the purchase agreement. If you choose to cancel this purchase, you must return or make available to seller at the place of delivery any merchandise, in its original condition, received by you under this purchase agreement.

NEW SECTION. Sec. 4. There is added to chapter 236, Laws of 1963 and to chapter 63.14 RCW a new section to read as follows:

A lender credit card agreement may not contain any provision for a security interest in real or personal property or fixtures of the buyer to secure payment of performance of the buyer's obligation under the lender credit card agreement.

Sec. 5. Section 13, chapter 236, Laws of 1963 as last amended by section 5, chapter 77, Laws of 1981 and RCW 63.14.130 are each amended to read as follows:

The service charge shall be inclusive of all charges incident to investigating and making the retail installment contract or charge agreement and for the privilege of making the installment payments thereunder and no other fee, expense or charge whatsoever shall be taken, received, reserved or contracted therefor from the buyer.

(1) The service charge, in a retail installment contract, shall not exceed the highest of the following:

(a) A rate on outstanding unpaid balances which exceeds six percentage points above the average, rounded to the nearest one-quarter of one percent, of the equivalent coupon issue yields (as published by the Federal Reserve Bank of San Francisco) of the bill rates for twenty-six week treasury bills for the last market auctions conducted during February, May, August, and November of the year prior to the year in which the retail installment contract is executed; or

(b) Ten dollars.

(2) The service charge in a retail charge agreement, revolving charge agreement, lender credit card agreement, or charge agreement, shall not exceed one and one-half percent per month on the outstanding unpaid balances. If the service charge so computed is less than one dollar for any month, then one dollar may be charged.

(3) A service charge may be computed on the median amount within a range which does not exceed ten dollars and which is a part of a published schedule of consecutive ranges applied to an outstanding balance, provided the median amount is used in computing the service charge for all balances within such range.

Sec. 6. Section 14, chapter 236, Laws of 1963 and RCW 63.14.140 are each amended to read as follows:

If the cost of any insurance is included in the retail installment contract ((or)), retail charge agreement, or lender credit card agreement:

(1) The contract or agreement shall state the nature, purpose, term, and amount of such insurance, and in connection with the sale of a motor vehicle, the contract shall state that the insurance coverage ordered under the terms of this contract does not include 'bodily injury liability,' 'public liability,' and 'property damage liability' coverage, where such coverage is in fact not included;

(2) The contract or agreement shall state whether the insurance is to be procured by the buyer or the seller;

(3) The amount, included for such insurance, shall not exceed the premiums chargeable in accordance with the rate fixed for such insurance by the insurer, except where the amount is less than one dollar;

(4) If the insurance is to be procured by the seller or holder, he shall, within forty-five days after delivery of the goods or furnishing of the services under the contract, deliver, mail or cause to be mailed to the buyer, at his or her address as specified in the contract, a notice thereof or a copy of the policy or policies of insurance or a certificate or certificates of the insurance so procured.

Sec. 7. Section 15, chapter 236, Laws of 1963 as amended by section 9, chapter 234, Laws of 1967 and RCW 63.14.150 are each amended to read as follows:

No provision of a retail installment contract ((or)), retail charge agreement ((shall be)), or lender credit card agreement is valid by which the buyer agrees not to assert against the seller or against an assignee a claim or defense arising out of the sale, or by which the buyer agrees to submit to suit in a county other than the county where the buyer signed the contract or where the buyer resides or has his principal place of business.

Sec. 8. Section 9, chapter 77, Laws of 1981 and RCW 63.14.151 are each amended to read as follows:

Any retail installment contract ((or)), retail charge agreement ((which)), or lender credit card agreement that complies with the disclosure requirements of Title I of the federal consumer protection act (82 Stat. 146, 15 U.S.C. 1601) which is also known as the truth in lending act, as of the date upon which said retail installment contract ((or)), revolving charge agreement, or lender credit card agreement is executed, shall be deemed to comply with the disclosure provisions of chapter 63.14 RCW.

Sec. 9. Section 16, chapter 236, Laws of 1963 and RCW 63.14.160 are each amended to read as follows:

No act or agreement of the retail buyer before or at the time of the making of a retail installment contract, retail charge agreement, lender credit card agreement, or purchases thereunder shall constitute a valid waiver of any of the provisions of this chapter or of any remedies granted to the buyer by law.

Sec. 10. Section 10, chapter 77, Laws of 1981 and RCW 63.14.165 are each amended to read as follows:

A ((lender)) financial institution credit card is a card or device issued under an arrangement pursuant to which the ((issuer)) issuing financial institution gives to a card holder residing in this state the privilege of obtaining credit from the issuer or other persons in purchasing or leasing property or services, obtaining loans, or otherwise, and the issuer of which is not principally engaged in the business of selling goods.

Except as provided in section 11 of this act, a ((lender)) financial institution credit card agreement and credit extended pursuant to it is not subject to the provisions of this chapter but shall be subject to the provisions of chapter 19.52 RCW.

NEW SECTION. Sec. 11. There is added to chapter 236, Laws of 1963 and to chapter 63.14 RCW a new section to read as follows:

(1) Pursuant to a lender credit card or financial institution credit card transaction in which a credit card has been used to obtain credit, the seller is a person other than the card issuer, and the seller accepts or allows a return of goods or forgiveness of a debit for services that were the subject of the sale, credit shall be applied to the obligor's account as provided by this section.

(2) Within seven working days after a transaction in which an obligor becomes entitled to credit, the seller shall transmit to the credit card issuer a credit statement reflecting the transaction. The credit card issuer shall credit the obligor's account within three working days following receipt of a credit statement from the seller.

(3) The obligor is not responsible for payment of any service charges resulting from the seller's or card issuer's failure to comply with subsection (2) of this section.

(4) The seller is responsible for payment of any service charges resulting from the seller's failure to comply with subsection (2) of this section.

(5) An issuer issuing a lender credit card or financial institution credit card shall mail or deliver a notice of the provisions of this section at least once per calendar year, at intervals of not less than six months nor more than eighteen months, either to all cardholders or to each cardholder entitled to receive a periodic statement for any one billing cycle. The notice shall state that the obligor is not responsible for payment of any service charges resulting from the seller's or card issuer's failure to comply with subsection (2) of this section.

Sec. 12. Section 18, chapter 236, Laws of 1963 as amended by section 10, chapter 234, Laws of 1967 and RCW 63.14.180 are each amended to read as follows:

Any person who enters into a retail installment contract ~~((or)),~~ charge agreement ~~((which)),~~ or lender credit card agreement that does not comply with the provisions of this chapter or who violates any provision of this chapter except as a result of an accidental or bona fide error shall be barred from the recovery of any service charge, official fees, or any delinquency or collection charge under or in connection with the related retail installment contract or purchases under a retail charge agreement or lender credit card agreement; but such person may nevertheless recover from the buyer an amount equal to the cash price of the goods or services and the cost to such person of any insurance included in the transaction: PROVIDED, That if the service charge is in excess of that allowed by RCW 63.14.130, except as the result of an accidental or bona fide error, the buyer shall be entitled to an amount equal to the total of (1) twice the amount of the service charge paid, and (2) the amount of the service charge contracted for and not paid, plus (3) costs and reasonable attorneys' fees. The reduction in the cash price by the application of the above sentence shall be applied to diminish pro rata each future installment of principal amount payable under the terms of the contract or agreement.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In line 15 of the title, after "adding" strike "a new section" and insert "new sections" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Lux, the House refused to concur in the Senate amendments to Substitute House Bill No. 1163 and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1386 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. There is added to chapter 51.24 RCW a new section to read as follows:

(1) Actions against third persons that are assigned by the claimant to the department, voluntarily or by operation of law in accordance with chapter 51.24 RCW, may be prosecuted by special assistant attorneys general.

(2) The attorney general shall select special assistant attorneys general from a list compiled by the department and the Washington state bar association. The attorney general, in conjunction with the department and the Washington state bar association, shall promulgate rules and regulations outlining the criteria and the procedure by which private attorneys may have their names placed on the list of attorneys available for appointment as special assistant attorneys general to litigate third party actions under subsection (1) of this section.

Sec. 2. Section 51.24.020, chapter 23, Laws of 1961 as last amended by section 31, chapter 350, Laws of 1977 ex. sess. and RCW 51.24.020 are each amended to read as follows:

If injury ~~((or death))~~ results to a worker from the deliberate intention of his or her employer to produce such injury ~~((or death))~~, the worker ~~((- surviving spouse, child, or dependent))~~ or beneficiary of the worker shall have the privilege to take under this title and also have cause of action against the employer as if this title had not been enacted, for any damages in excess of ~~((damages over the amount received or receivable))~~ compensation and benefits paid or payable under this title.

Sec. 3. Section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030 are each amended to read as follows:

(1) (((the) an injury to a worker for which benefits and compensation are provided under this title is due to the negligence or wrong of a third person not in the same employ, the injured worker or beneficiary may elect to seek damages from the third person.

(2) For the purposes of this chapter, 'injury' shall include any physical or mental condition, disease, ailment or loss, including death, for which compensation and benefits are paid or payable under this title.

Sec. 4. Section 3, chapter 85, Laws of 1977 ex. sess. as amended by section 1, chapter 211, Laws of 1983 and RCW 51.24.050 are each amended to read as follows:

(1) An election not to proceed against the third person operates as an assignment of the cause of action to the department or self-insurer, which may prosecute or compromise the action in its discretion in the name of the injured worker, beneficiary or legal representative.

(2) If an injury to a worker results in the worker's death, the department or self-insurer to which the cause of action has been assigned may petition a court for the appointment of a special personal representative for the limited purpose of maintaining an action under this chapter and chapter 4.20 RCW.

(3) If a beneficiary is a minor child, an election not to proceed against a third person on such beneficiary's cause of action may be exercised by the beneficiary's legal custodian or guardian.

(4) Any ~~((award or settlement recovered))~~ recovery made by the department or self-insurer shall be distributed as follows:

(a) The department or self-insurer shall be paid the expenses incurred in making the recovery including reasonable costs of legal services;

(b) The injured worker or beneficiary shall be paid twenty-five percent of the balance of the ~~((award or settlement))~~ recovery made, which shall not be subject to subsection ~~((3))~~ (5) of this section: PROVIDED, That in the event of a compromise and settlement by the parties, the injured worker or beneficiary may agree to a sum less than twenty-five percent;

(c) The department and/or self-insurer shall be paid the compensation and benefits paid to or on behalf of the injured worker or beneficiary by the department and/or self-insurer; and

(d) The injured worker or beneficiary shall be paid any remaining balance.

~~((3))~~ (5) Thereafter no payment shall be made to or on behalf of a worker or beneficiary by the department and/or self-insurer for such injury until the amount of any further compensation ~~((or))~~ and benefits shall equal any such remaining balance. Thereafter, such benefits shall be paid by the department and/or self-insurer to or on behalf of the worker or beneficiary as though no ~~((third party person claim))~~ recovery had been made from a third person.

~~((4))~~ (6) In the case of an employer not qualifying as a self-insurer, the department shall make a retroactive adjustment to such employer's experience rating in which the third party claim has been included to reflect that portion of the award or settlement which is reimbursed for compensation and benefits paid and, if the claim is open at the time of recovery, applied against further compensation or benefits to which the injured worker or beneficiary may be entitled.

(7) When the cause of action has been assigned to the self-insurer and compensation and benefits have been paid and/or are payable from state funds for the same injury:

(a) The prosecution of such cause of action shall also be for the benefit of the department to the extent of compensation and benefits paid and payable from state funds;

(b) Any compromise or settlement of such cause of action which results in less than the entitlement under this title is void unless made with the written approval of the department;

(c) The department shall be reimbursed for compensation and benefits paid from state funds;

(d) The department shall bear its proportionate share of the costs and reasonable attorneys' fees incurred by the self-insurer in obtaining the award or settlement; and

(e) Any remaining balance under subsection (4)(d) of this section shall be applied, under subsection (5) of this section, to reduce the obligations of the department and self-insurer to pay further compensation and benefits in proportion to which the obligations of each bear to the remaining entitlement of the worker or beneficiary.

Sec. 5. Section 4, chapter 85, Laws of 1977 ex. sess. as amended by section 2, chapter 211, Laws of 1983 and RCW 51.24.060 are each amended to read as follows:

(1) ~~((In an action by the injured worker or beneficiary against the third person))~~ If the injured worker or beneficiary elects to seek damages from the third person, any ~~((award or settlement))~~ recovery made shall be distributed as follows:

(a) The costs and reasonable attorneys' fees shall be paid proportionately by the injured worker or beneficiary and the department and/or self-insurer;

(b) The injured worker or beneficiary shall be paid twenty-five percent of the balance of the award: PROVIDED, That in the event of a compromise and settlement by the parties, the injured worker or beneficiary may agree to a sum less than twenty-five percent:

(c) The department and/or self-insurer shall be paid the balance of the ((award)) recovery made, but only to the extent necessary to reimburse the department and/or self-insurer for compensation ((or)) and benefits paid;

(i) The department and/or self-insurer shall bear its proportionate share of the costs and reasonable attorneys' fees incurred by the ((claimant)) worker or beneficiary to the extent of the benefits paid or payable under this title: PROVIDED, That the department or self-insurer may require court approval of costs and attorneys' fees or may petition a court for determination of the reasonableness of costs and attorneys' fees.

(ii) The sum representing the department's and/or self-insurer's proportionate share shall not be subject to subsection (1) (d) and (e) of this section.

(d) Any remaining balance shall be paid to the injured worker or beneficiary;

(e) Hereafter no payment shall be made to or on behalf of a worker or beneficiary by the department and/or self-insurer for such injury until the amount of any further compensation ((or)) and benefits shall equal any such remaining balance. Thereafter, such benefits shall be paid by the department and/or self-insurer to or on behalf of the worker or beneficiary as though no ((third party person claim)) recovery had been made from a third person.

(2) The ((award or settlement)) recovery made shall be subject to a lien by the department and/or self-insurer for its share under this section.

(3) The department or self-insurer has sole discretion to compromise the amount of its lien. In deciding whether or to what extent to compromise its lien, the department or self-insurer shall consider at least the following:

(a) The likelihood of collection of the award or settlement as may be affected by insurance coverage, solvency, or other factors relating to the third person;

(b) Factual and legal issues of liability as between the injured worker or beneficiary and the third person. Such issues include but are not limited to possible contributory negligence and novel theories of liability; and

(c) Problems of proof faced in obtaining the award or settlement.

(4) In the case of an employer not qualifying as a self-insurer, the department shall make a retroactive adjustment to such employer's experience rating in which the third party claim has been included to reflect that portion of the award or settlement which is reimbursed for compensation and benefits paid and, if the claim is open at the time of recovery, applied against further compensation ((or)) and benefits to which the injured worker or beneficiary may be entitled.

(5) In an action under this section, the self-insurer may act on behalf and for the benefit of the department to the extent of any compensation and benefits paid or payable from state funds.

(6) It shall be the duty of the person to whom any recovery is paid before distribution under this section to advise the department or self-insurer of the fact and amount of such recovery, the costs and reasonable attorneys' fees associated with the recovery, and to distribute the recovery in compliance with this section.

(7) The distribution of any recovery made by award or settlement of the third party action shall be confirmed by department order, served by registered or certified mail, and shall be subject to chapter 51.52 RCW. In the event the order of distribution becomes final under chapter 51.52 RCW, the director or the director's designee may file with the clerk of any county within the state a warrant in the amount of the sum representing the unpaid lien plus interest accruing from the date the order became final. The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for such warrant and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of such worker or beneficiary mentioned in the warrant, the amount of the unpaid lien plus interest accrued and the date when the warrant was filed. The amount of such warrant as docketed shall become a lien upon the title to and interest in all real and personal property of the injured worker or beneficiary against whom the warrant is issued, the same as a judgment in a civil case docketed in the office of such clerk. The sheriff shall then proceed in the same manner and with like effect as prescribed by law with respect to execution or other process issued against rights or property upon judgment in the superior court. Such warrant so docketed shall be sufficient to support the issuance of writs of garnishment in favor of the department in the manner provided by law in the case of judgment, wholly or partially unsatisfied. The clerk of the court shall be entitled to a filing fee of five dollars, which shall be added to the amount of the warrant. A copy of such warrant shall be mailed to the injured worker or beneficiary within three days of filing with the clerk.

(8) The director, or the director's designee, may issue to any person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state, a notice and order to withhold and deliver property of any kind if he or she has reason to believe that there is in the possession of such person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state, property which is due, owing, or belonging to any worker or beneficiary upon whom a warrant has been served by the department for payments due to the state fund. The notice and order to withhold and

deliver shall be served by the sheriff of the county or by the sheriff's deputy, or by any authorized representatives of the director. Any person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state upon whom service has been made shall answer the notice within twenty days exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of in the notice and order to withhold and deliver. In the event there is in the possession of the party named and served with such notice and order, any property which may be subject to the claim of the department, such property shall be delivered forthwith to the director or the director's authorized representative upon demand. If the party served and named in the notice and order fails to answer the notice and order within the time prescribed in this section, the court may, after the time to answer such order has expired, render judgment by default against the party named in the notice for the full amount claimed by the director in the notice together with costs. In the event that a notice to withhold and deliver is served upon an employer and the property found to be subject thereto is wages, the employer may assert in the answer to all exemptions provided for by chapter 7.33 RCW to which the wage earner may be entitled.

Sec. 6. Section 5, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.070 are each amended to read as follows:

(1) The department or self-insurer may require the injured worker or beneficiary to exercise the right of election under this chapter by serving a written demand by registered mail, certified mail, or personal service on the worker or beneficiary.

(2) Unless an election is made within sixty days of the receipt of the demand, and unless an action is instituted or settled within the time granted by the department or self-insurer, the injured worker or beneficiary is deemed to have assigned the action to the department or self-insurer. The department or self-insurer shall allow the worker or beneficiary at least ninety days from the election to institute or settle the action. When a beneficiary is a minor child the demand shall be served upon the legal custodian or guardian of such beneficiary.

(3) If an action which has been filed is not diligently prosecuted, the department or self-insurer may petition the court in which the action is pending for an order assigning the cause of action to the department or self-insurer. Upon a sufficient showing of a lack of diligent prosecution the court in its discretion may issue the order.

(4) Any written demand, notice, or order provided by this chapter is deemed to have been received by the injured worker, beneficiary, or legal custodian if it is delivered to his or her last known address as shown by the records of the department, or the last known address of the person whom such injured worker, beneficiary, or legal custodian selected to receive notices or orders under this chapter.

(5) If the department or self-insurer has taken an assignment of the third party cause of action under subsection (2) of this section, the injured worker or beneficiary may, at the discretion of the department or self-insurer, exercise a right of reelection and assume the cause of action subject to reimbursement of litigation expenses incurred by the department or self-insurer.

Sec. 7. Section 7, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.090 are each amended to read as follows:

(1) Any compromise or settlement of the third party cause of action by the injured worker or beneficiary which results in less than the entitlement under this title is void unless made with the written approval of the department or self-insurer. PROVIDED, That for the purposes of this chapter, 'entitlement' means benefits and compensation paid and payable.

(2) If a compromise or settlement is void because of subsection (1) of this section, the department or self-insurer may petition the court in which the action was filed for an order assigning the cause of action to the department or self-insurer. If an action has not been filed, the department or self-insurer may proceed as provided in chapter 7.24 RCW.

NEW SECTION. Sec. 8. There is added to chapter 51.24 RCW a new section to read as follows:

The department may adopt, amend, and rescind under chapter 34.04 RCW such rules as may be necessary to the administration of this chapter.

NEW SECTION. Sec. 9. There is added to chapter 51.24 RCW a new section to read as follows:

This act applies to all causes of action against third persons in which judgment or settlement of the underlying action has not taken place before the effective date of this act."

On page 1, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending section 51.24.020, chapter 23, Laws of 1961 as last amended by section 31, chapter 350, Laws of 1977 ex. sess. and RCW 51.24.020; amending section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030; amending section 3, chapter 85, Laws of 1977 ex. sess. as amended by section 1, chapter 211, Laws of 1983 and RCW 51.24.050; amending section 4, chapter 85, Laws of 1977 ex. sess. as amended by section 2, chapter 211, Laws of 1983 and RCW 51.24.060; amending section 5, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.070; amending section 7, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.090; and adding new sections to chapter 51.24 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House refused to concur in the Senate amendments to Engrossed House Bill No. 1386 and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Rust, the House insisted on its position on Engrossed Second Substitute Senate Bill No. 3193, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3429, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House insisted on its position on Engrossed Second Substitute Senate Bill No. 3429, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4403, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Kreidler, the House insisted on its position on Engrossed Senate Bill No. 4403, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4788, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Rust, the House insisted on its position on Substitute Senate Bill No. 4788, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1178 with the following amendments:

On page 3, line 26, after "RCW" insert "unless a disciplinary committee is established under chapter 18.83 RCW"

On page 4, after line 17, insert the following:

"(xi) The board of occupational therapy practice as established in chapter 18.____ RCW (chapter ____ (SB 3074), Laws of 1984);"

Renumber the subsections consecutively.

On page 4, after line 17, insert the following:

"(xi) The state board of social work examiners as established in chapter 18.____ RCW (chapter ____ (SB 3838), Laws of 1984)."

Renumber the subsections consecutively

On page 8, line 5, after "violation" insert "of section 18 of this act"

On page 12, line 33, after "not," insert "The disciplinary authority shall define by rule acts involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession."

On page 14, beginning on line 5, strike all material down to and including line 6

Renumber the subsections consecutively.

On page 33, line 28, strike "includes" and insert "are limited to"

On page 33, after line 32, insert the following:

"Sec. 65. Section 3, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.030 are each amended to read as follows:

~~((On or after July 1, 1976))~~ Nursing homes operating within this state must be under the active, overall administrative charge and supervision of an administrator licensed as provided in this chapter. An administrator may delegate functions and duties to other persons. No person acting in any capacity, unless he is the holder of a nursing home administrator's license issued under this chapter, shall be charged with the overall responsibility to make decisions or direct actions involved in managing the internal operation of a nursing home, except as specifically delegated in writing by the administrator to identify a responsible person to act on the administrator's behalf when the administrator is absent during the administrator's normal working hours. The administrator shall review the decisions upon the administrator's return and amend the decisions if necessary. Nothing in this chapter or the rules adopted under this chapter applies to a sanatorium or nursing home operated, or listed and certified, by any well-established and generally recognized church or religious denomination which teaches religious or spiritual means alone for healing through prayer.

Sec. 66. Section 7, chapter 57, Laws of 1970 ex. sess. as last amended by section 2, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.070 are each amended to read as follows:

Upon the director's receipt of an application and examination fee determined by the director as provided in RCW ~~((43-24-085 as now or hereafter amended))~~ 43.24.086, and completed application forms provided by the director, a nursing home administrator's license shall be issued to any person who:

(1) Is at least twenty-one years of age and of good moral character.

(2) Has presented evidence satisfactory to the board of practical experience, education, and training which, when evaluated according to criteria developed by the board, is equivalent to two years of experience in the operation of a nursing home: PROVIDED, That after January 1, 1980, no license shall be issued to any applicant unless such applicant has either successfully completed at least two years of formal education beyond the high school level or holds an associate degree from a recognized institution of higher learning: PROVIDED FURTHER, That the educational degree required by this subsection may be waived for individuals who present evidence satisfactory to the board of sufficient practical experience.

(3) Has passed an examination administered by the board which shall be designed to test the candidate's competence to administer a nursing home on the basis of the candidate's formal ~~((instruction))~~ education and training or actual experience~~((PROVIDED HOWEVER, That nothing in this chapter or the rules and regulations thereunder shall be construed to require an applicant for a license or provisional license as a nursing home administrator who is certified by any well-established and generally recognized church or religious denomination which teaches reliance on spiritual means alone for healing as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teachings, to demonstrate proficiency in any medical techniques or to meet any medical educational qualifications or medical standards not in accord with the remedial care and treatment provided in such institutions: PROVIDED FURTHER, That any such individual shall demonstrate in the process of application for the examination his membership in such church or religious denomination and his license shall indicate the limited extent of his authority to act as an administrator))~~.

(4) The initial administrator members of the board shall be selected and appointed by the governor to meet the requirements of subsection (1) of this section and of RCW 18.52.040 and 18.52.050. The three nonadministrator members of the first board shall administer to the initial administrator members an appropriate examination, and the initial administrator members shall thereafter be issued their licenses under this chapter as nursing home administrators. The three nonadministrator members of the first board may exercise the powers of the board to

carry out licensing of the initial administrator members, regardless of the normal quorum or procedural requirements for board action. The licensing of the initial administrator members of the first board shall be carried out within thirty days after appointment of the board, and in all events prior to April 1, 1970.

Sec. 67. Section 7, chapter 57, Laws of 1970 ex. sess. as last amended by section 2 of this 1984 act and RCW 18.52.070 are each amended to read as follows:

Upon the director's receipt of an application and examination fee determined by the director as provided in RCW 43.24.086, and completed application forms provided by the director, a nursing home administrator's license shall be issued to any person who:

- (1) Is at least twenty-one years of age and of good moral character.
- (2) Has presented evidence satisfactory to the board of practical experience, education, and training which, when evaluated according to criteria developed by the board, is equivalent to two years of experience in the operation of a nursing home: PROVIDED, That after January 1, ~~((1980))~~ 1987, no license shall be issued to any new applicant unless such applicant has either successfully completed at least ~~((two))~~ four years of formal education beyond the high school level or holds ~~((an associate))~~ a B.A., B.S., or equivalent degree from a recognized institution of higher learning: PROVIDED FURTHER, That the educational degree required by this subsection may be waived for individuals who present evidence satisfactory to the board of sufficient practical experience.
- (3) Has passed an examination administered by the board which shall be designed to test the candidate's competence to administer a nursing home on the basis of the candidate's formal education and training or actual experience.

(4) The initial administrator members of the board shall be selected and appointed by the governor to meet the requirements of subsection (1) of this section and of RCW 18.52.040 and 18.52.050. The three nonadministrator members of the first board shall administer to the initial administrator members an appropriate examination, and the initial administrator members shall thereafter be issued their licenses under this chapter as nursing home administrators. The three nonadministrator members of the first board may exercise the powers of the board to carry out licensing of the initial administrator members, regardless of the normal quorum or procedural requirements for board action. The licensing of the initial administrator members of the first board shall be carried out within thirty days after appointment of the board, and in all events prior to April 1, 1970.

NEW SECTION. Sec. 68. Section 67 of this act shall take effect January 1, 1987.

Sec. 69. Section 9, chapter 57, Laws of 1970 ex. sess. as amended by section 3, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.090 are each amended to read as follows:

The director shall have the administrative duty and responsibility to:

- (1) Issue nursing home administrator's licenses to individuals who meet the licensing requirements of RCW 18.52.070 ~~((and 18.52.086))~~;
- (2) Investigate complaints against nursing home administrators, and upon order of the board reprimand any licensee, or revoke, suspend, deny, or refuse to reregister the license of any licensee or applicant who fails to meet the applicable requirements of this chapter.

Sec. 70. Section 11, chapter 57, Laws of 1970 ex. sess. as last amended by section 54, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.52.110 are each amended to read as follows:

(1) Every holder of a nursing home administrator's license shall reregister it annually with the director on dates specified by the director by making application for reregistration on forms provided by the director. Such reregistration shall be granted automatically upon receipt of a fee determined by the director as provided in RCW ~~((43-24-085 as now or hereafter amended))~~ 43.24.086. In the event that any license is not reregistered within thirty days after the date for reregistration specified by the director, the director shall, in accordance with rules prescribed by the board, give notice to the license holder, and may thereafter in accordance with rules prescribed by the board charge up to double the normal reregistration fee. In the event that the license of an individual is not reregistered within ~~((three))~~ two years from the most recent date for reregistration it shall lapse and such individual must again apply for licensing and meet all requirements of this chapter for a new applicant. The board may prescribe rules for maintenance of a license at a reduced fee for temporary or permanent withdrawal or retirement from the active practice of nursing home administration.

(2) A condition of reregistration shall be the presentation of proof by the applicant that he has attended the number of classroom hours of approved educational programs, classes, seminars, or proceedings set by the board. The board shall have the power to approve programs, classes, seminars, or proceedings offered in this state or elsewhere by any accredited institution of higher learning or any national or local group or society if such programs, classes, seminars, or proceedings are reasonably related to the administration of nursing homes. The board shall establish rules and regulations providing that the applicant for reregistration may present such proofs yearly, or may obtain the cumulative number of required hours over a three year period and present such proofs over periods of three years. In no event shall the number of classroom hours required for any time period exceed the number of such board approved classroom hours reasonably available over such time period on an adult or continuing education basis to nonmatriculating participants in this state.

(3) An individual may obtain and reregister a license under this chapter although he does not actively engage in nursing home administration. The licensee shall meet requirements set by the board to ensure the individual's continued competency.

Sec. 71. Section 12, chapter 57, Laws of 1970 ex. sess. as last amended by section 5, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.120 are each amended to read as follows:

The director, after any notice and hearing before the board which may be required by law, and upon the order of the board, shall, subject to any deferral or condition ordered, refuse to reregister or shall suspend or revoke an administrator's license, or issue a reprimand as directed by the board, as provided in this chapter when proof has been submitted to the board that:

(1) The licensee has committed any fraud or material misrepresentation or concealment in obtaining or maintaining the license.

(2) The license was obtained due to the mistake or inadvertence of the board or the director.

(3) The licensee has ~~((knowingly or))~~ repeatedly violated any of the provisions of this chapter or of the rules promulgated by the board in accordance with this chapter or authorized or directed another so to act.

(4) The licensee has ~~((knowingly or))~~ repeatedly violated rules promulgated by the department of social and health services or the state board of health concerning patient care in a manner demonstrating a substantial disregard for patient health and safety.

(5) The licensee is unable to administer a nursing home with due regard for patient health and safety by reason of habitual, intemperate use of alcohol, controlled substances, or other chemicals or materials; or the licensee is similarly incapacitated by mental illness, insanity, mental disorder, or some other condition ~~((or situation requiring entry of an order for a guardianship, and such mental status or the need of a guardianship has been determined to exist by a court of competent jurisdiction. PROVIDED. That the board, when considering cases under this subsection, shall endeavor to encourage the recovery and rehabilitation of the administrator and the maintenance of the administrator's livelihood, but always subject to the primary objective of protecting patient health and safety))~~ which creates an undue risk that the person would cause harm to other persons by being a nursing home administrator.

(6) The licensee has committed any ~~((acts which, whether or not criminal prosecutions occur, constitute fraud, forgery, wrongful obtaining of funds, theft, larceny by trick, scheme or device, assault in the first, second or third degree, bribery or corrupt influence, or solicitation or conspiracy to commit any of said offenses. PROVIDED. That if some form of intent is required to render any such acts criminal such intent shall also be required to permit action against the licensee under this subsection, and liability under this subsection may be determined pursuant to the principles of liability set forth in RCW 9A.08.020))~~ act involving moral turpitude, dishonesty, or corruption, committed in the course of his or her duties as a nursing home administrator, whether or not the act constitutes a crime.

(7) The licensee has been ~~((grossly))~~ negligent or has committed ~~((gross))~~ misconduct in the administration of a nursing home.

(8) The licensee has participated in or has offered or agreed to participate in, any arrangement whereby any payment or rebate is given to any party in return for the referral of a patient to the facility the licensee administers, or for referral by such licensee of a patient to any party for rendition of professional services to such patient.

(9) The licensee or applicant has previously been refused a license as an administrator or had renewal thereof refused, or has had such a license suspended or revoked by any competent state, federal, or foreign authority; PROVIDED, That a suspension, revocation, refusal to issue or refusal to reregister a license under this subsection must be based upon a showing in the record of such previous proceedings which would constitute a proper basis for the action proposed under the provisions of this chapter, and the licensee or applicant shall, on request, have the opportunity to challenge the fairness of the previous proceedings or the correctness of the factual determinations involved.

Administrators whose licenses have been revoked, or to whom reregistration has been refused, may, on subsequent application be licensed, relicensed, or reregistered, according to such rules or regulations as may be prescribed by the board and according to standards prescribed by the board. Suspended licenses are automatically in force at the expiration of the period of suspension specified in the board's order, but must be reregistered in the normal course if they expire during the period of suspension.

Sec. 72. Section 17, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.160 are each amended to read as follows:

~~((On or before March 15, 1970 the governor shall establish the first board which shall immediately meet for organizational purposes and shall thereafter))~~ The board shall meet as often as may be necessary to carry out the duties of the board under this chapter. ~~((The first examinations shall be administered and regular and provisional licenses shall be issued under this chapter prior to July 1, 1970. Thereafter))~~ Examinations shall be administered at intervals not less than semiannually and at such times and places as may be determined by the board.

There shall not be a limit upon the number of times a candidate may take the required examination.

NEW SECTION. Sec. 73. There is added to chapter 18.52 RCW a new section to read as follows:

Members of the board and the board's staff shall be immune from liability in any suit in any action, civil or criminal, based upon their duties or other official acts performed in good faith as members or staff of the board, when the action is being brought by or on behalf of the person who is being evaluated.

NEW SECTION. Sec. 74. Section 8, chapter 57, Laws of 1970 ex. sess., section 53, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.52.080 are each repealed.

Renumber the remaining sections consecutively.

On page 27, beginning on line 14, strike all material down to and including line 2 on page 28

Renumber the sections consecutively and correct internal references accordingly.

On page 33, after line 34, insert the following:

*Sec. 66. Section 1, chapter 305, Laws of 1955 as last amended by section 67, chapter 158, Laws of 1979 and RCW 18.83.010 are each amended to read as follows:

When used in this chapter:

(1) The 'practice of psychology' means the application of established principles of learning, motivation, perception, thinking and emotional relationships to problems of evaluation, group relations and behavior adjustment, including but not limited to: (a) counseling and guidance; (b) use of psychotherapeutic techniques with clients who have adjustment problems in the family, at school, at work or in interpersonal relationships; (c) measuring and testing of personality, intelligence, aptitudes, emotions, public opinion, attitudes and skills.

This definition does not include the teaching of principles of psychology for accredited educational institutions, or the conduct of research in problems of human or animal behavior.

Nothing in this definition shall be construed as permitting the administration or prescribing of drugs or in any way infringing upon the practice of medicine and surgery as defined in chapter 18.71 RCW.

(2) 'Director' means director of licensing.

(3) 'Board' means the (~~board of psychologist examiners created by this chapter~~) examining board of psychology.

(4) 'Committee' means the disciplinary committee established by the board.

(5) 'Department' means the department of licensing.

NEW SECTION. Sec. 67. There is added to chapter 18.83 RCW a new section to read as follows:

There is created the examining board of psychology which shall examine the qualifications of applicants for licensing. The board shall consist of seven psychologists and two public members, all appointed by the governor. The public members shall not be and have never been psychologists or in training to be psychologists; they may not have any household member who is a psychologist or in training to be a psychologist; they may not participate or ever have participated in a commercial or professional field related to psychology, nor have a household member who has so participated; and they may not have had within two years before appointment a substantial financial interest in a person regulated by the board. Each psychologist member of the board shall be a citizen of the United States who has actively practiced psychology in the state of Washington for at least three years immediately preceding appointment and who is licensed under this chapter. Each member of the board shall serve for a term of five years. The members of the first board appointed after the effective date of this act shall determine by lot psychologist members to serve for five, four, and three year terms to stagger the terms, with members of the board existing on the effective date of this act serving the shorter terms. Public members of the first board appointed after the effective date of this act shall choose one to serve for five years and one to serve for four years. Upon the death, resignation, or removal of a member, the governor shall appoint a successor to serve for the unexpired term. The board shall elect one of its members to serve as chairperson.

NEW SECTION. Sec. 68. There is added to chapter 18.83 RCW a new section to read as follows:

The board shall meet at least once each year and at such other times as the board deems appropriate to properly discharge its duties. All meetings shall be held in Olympia, Washington, or such other places as may be designated by the director. Five members of the board shall constitute a quorum, except that oral examinations may be conducted with only three psychologist members.

Sec. 69. Section 5, chapter 305, Laws of 1955 as amended by section 5, chapter 70, Laws of 1965 and RCW 18.83.050 are each amended to read as follows:

~~(It shall be the duty of the board to:)~~

(1) The board shall adopt such rules as it deems necessary to carry out its functions.

(2) The board shall examine the qualifications of applicants for licensing under this chapter, to determine which applicants are eligible for licensing hereunder and shall forward to the director the names of applicants so eligible.

~~((2) Prepare, give and grade such examinations to applicants as are required by the terms of this chapter. The board shall determine the scope and length of such examinations, and what score shall be deemed a passing score. Such examination shall be oral and written. The board may designate one or more of its members to personally supervise the taking of the examinations by applicants.))~~

(3) The board shall administer examinations to qualified applicants on at least an annual basis. The board shall determine the subject matter and scope of the examinations and shall require both written and oral examinations of each applicant, except as provided in RCW 18.83.170. The board may allow applicants to take the written examination upon the granting of their doctoral degree before completion of their internship for supervised experience.

(4) The board shall keep a complete record of its own proceedings, of the questions given in examinations, of the names and qualifications of all applicants, and the names and addresses of all licensed psychologists. The examination paper of such applicant shall be kept on file for a period of at least one year after examination.

(5) The board shall, by rule, adopt a code of ethics for psychologists which is designed to protect the public interest.

(6) The board shall create a disciplinary committee within the board for the purposes of hearing, examining, and ruling on complaints and evidence of unethical conduct or practices brought by the public, other psychologists, organizations, corporations, public or private agencies, or officers, agencies, or instrumentalities of state, county, or local governments.

Sec. 70. Section 6, chapter 305, Laws of 1955 as last amended by section 72, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.83.060 are each amended to read as follows:

Each applicant for a license shall file with the director an application duly verified, in such form and setting forth such information as the board shall prescribe. An application fee determined by the director as provided in RCW ~~((43.24.085 as now or hereafter amended))~~ 43.24.086 shall accompany each application.

Sec. 71. Section 7, chapter 305, Laws of 1955 as amended by section 7, chapter 70, Laws of 1965 and RCW 18.83.070 are each amended to read as follows:

An applicant for a license as 'psychologist' must submit proof to the board that:

(1) ~~(He)~~ The applicant is of good moral character.

~~(2) (He holds a doctoral degree from an accredited institution of higher learning with an adequate major in psychology as determined by the board and has had at least one year experience practicing psychology under qualified supervision after receiving such degree.)~~ The applicant holds a doctoral degree from a regionally accredited institution, obtained from an integrated program of graduate study in psychology as defined by rules of the board.

~~(3) (He is professionally competent by passing an examination in psychology prescribed by the board and covering the basic subject matter of psychology and psychological skills and techniques; PROVIDED: That persons who have not previously failed an examination hereunder or been denied a certificate by the board and who are holding a doctoral or master's degree from an accredited institution of higher learning with an adequate major in psychology as determined by the board and who have practiced psychology for a period of five years or its equivalent in part time employment, at least three years of which shall have been in the state of Washington prior to the date of application and who submit to the board proof of good moral character shall be granted the title of 'psychologist' and shall receive a license hereunder without taking any examination, if such persons apply for such license within one year after the effective date of this amendatory act of 1965))~~ The applicant has had no fewer than two years of supervised experience, at least one of which shall have been obtained subsequent to the granting of the doctoral degree. The board shall adopt rules defining the circumstances under which supervised experience shall qualify the candidate for licensure.

(4) The applicant has passed the written and oral examinations prescribed by the board. Any person holding a valid license to practice psychology in the state of Washington on the effective date of this 1984 act shall be considered licensed under this chapter.

Sec. 72. Section 20, chapter 70, Laws of 1965 as amended by section 15, chapter 266, Laws of 1971 ex. sess. and RCW 18.83.072 are each amended to read as follows:

(1) Examination of applicants shall be held in Olympia, Washington, or at such other place as designated by the director, at least annually at such times as the board may determine.

(2) Any applicant shall have the right to discuss with the board his or her performance on the examination.

(3) Any applicant who fails to make a passing grade on the examination may be allowed to ~~(take the examination a second time)~~ retake the examination. Any applicant who fails the examination a second time must obtain special permission from the board to take the examination again.

(4) The reexamination fee shall be the same as the application fee set forth in RCW 18.83.060.

Sec. 73. Section 23, chapter 70, Laws of 1965 as amended by section 73, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.83.082 are each amended to read as follows:

(1) ~~((All 'certified psychologists' who are certified under the provisions of chapter 18.83 RCW shall be promptly issued a license by the director. The fee for this license shall be determined by the director as provided in RCW 43.24.085 as now or hereafter amended.~~

(2) ~~The words 'certification' and 'licensing' shall be known as interchangeable terms in this chapter.~~

(3)) A valid receipt for an initial application for license hereunder, provided the applicant meets the requirements of ~~((subsections (1) and (2) of))~~ RCW 18.83.070 (1), (2), and (3), shall constitute a temporary permit to practice psychology until the board ~~((of examiners))~~ completes action on the application. The board must complete action within one year of the date such receipt is issued.

((4)) (2) A person, not licensed in this state, who wishes to perform practices under the provisions of this chapter for a period not to exceed ninety days within a calendar year, must petition the board for a temporary permit to perform such practices. If the person is licensed or certified in another state deemed by the board to have standards equivalent to this chapter, a permit may be issued. No fee shall be charged for such temporary permit.

Sec. 74. Section 9, chapter 305, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1977 and RCW 18.83.090 are each amended to read as follows:

~~((Each licensed psychologist shall pay to the state treasurer, on or before the tenth day of January of each year, an annual license renewal fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended.))~~ The board shall establish rules governing mandatory continuing education requirements which shall be met by any psychologist applying for a license renewal. Each licensed psychologist shall pay to the health professions account, created in RCW 43.24.072, annually, at such time as determined by the board, an annual license renewal fee determined by the director under RCW 43.24.086. Upon receipt of the fee, the director shall issue a certificate of renewal in such form as the director shall determine.

Sec. 75. Section 13, chapter 305, Laws of 1955 as amended by section 12, chapter 70, Laws of 1965 and RCW 18.83.120 are each amended to read as follows:

Within the meaning of this chapter unethical practice of psychology shall include ~~((the following:~~

(1) ~~Willfully misleading a client or furnishing a client with information known to be erroneous.~~

(2) ~~The offering of any psychological services entirely by mail, the use of untrained personnel or of mechanical devices alone in the interpretation of test results, the indiscriminate dissemination of psychological testing materials.~~

(3) ~~The employment of psychological techniques for entertainment, or other purposes not consistent with the development of psychology as a science.~~

(4) ~~Engaging in individual psychological diagnosis or treatment in the course of public lectures or demonstrations, newspaper or magazine articles, radio or television programs, or similar media.~~

(5) ~~Representing himself as a psychologist under any name, except his own, which shall be that used in his license issued by the director.~~

(6) ~~Conducting an office for the practice of psychology in his name or use his name in connection with any office for the practice of psychology, unless he is personally present therein functioning as a psychologist or personally overseeing the functions performed in any office during most of the time that office is being operated.~~

(7) ~~Employing a solicitor or solicitors to obtain business.~~

(8) ~~Advertising individual psychological diagnosis or treatment in newspapers, periodicals, or in bold face type or in any printed matter or by the use of any form of display sign or by means of hand bills, posters, circulars, stereopticon slide, motion pictures, television, or any printed publication or medium: PROVIDED, That he may be listed in any directory in a manner uniform as to type, size and color with others listed therein, may display a dignified sign at the entrance to his office or on the windows thereof, containing not more than his name, degree, the designation psychologist, and the type of psychological activity, and may use dignified business cards containing his name, title, degree, and the type of psychological activity, office and residence address and telephone numbers and his office hours.~~

(9) ~~Obtaining any fee by fraud or misrepresentation.~~

(10) ~~Willfully betraying professional secrets.~~

(11) ~~Adopting any means tending to deceive the public or to be habitually intemperate or grossly immoral or to commit any offense involving moral turpitude, in which case the record of conviction thereof shall be conclusive evidence.~~

(12) ~~Obtaining by fraud or deceit a license as psychologist.~~

(13) ~~Advertising the rendition of individual psychological diagnosis or treatment at a stipulated price or any variation of such price or as being free.~~

(14) ~~Violating the provisions of chapter 19.68 RCW.~~

(15) ~~Being guilty of unprofessional conduct as defined in any other act relating to the practice of psychology.~~

(16) All advertising of any psychological practice which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons and so be harmful or injurious to public morals or safety.

(17) Repeating acts of immorality, or repeating acts of gross misconduct in the practice of psychology) any act or practice which violates the codes of ethics established by the board. In addition, the following conduct, acts, or conditions constitute the unethical practice of psychology for any licensee or applicant subject to this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption, relating to the practice of psychology, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon conviction, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the licensee or applicant of the crime described in the indictment or information and of the person's violation of the statute on which it is based. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this subsection abrogates rights guaranteed under chapter 9.96A RCW.

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof.

(3) Advertising in a manner which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons and so be harmful or injurious to public health, safety, or welfare.

(4) Incompetency or negligence in the practice of psychology which creates an unreasonable risk of physical or mental harm or serious financial loss to the consumer.

(5) Practicing psychology while under the suspension, revocation, or restriction of the individual's license to practice by competent authority in any state, federal, or foreign jurisdiction.

(6) Violation of any state statute or administrative code specifically governing the practice of psychology.

(7) Failure to cooperate with the committee by:

(a) Not furnishing any papers or documents requested by the committee;

(b) Not furnishing in writing a complete explanation covering the matter contained in the complaint filed with the committee;

(c) Not appearing before the committee at the time and place designated; or

(d) Not properly responding to subpoenas issued by the committee.

(8) Failure to comply with an order issued by the committee or an assurance of discontinuance entered into with the committee.

(9) Aiding or abetting an unlicensed person to practice when a license is required.

(10) Gross, wilful, or continued overcharging for professional services.

(11) Wilful or repeated violations of rules established by any health officer of the state or a political subdivision thereof.

(12) Practice beyond the scope of practice as defined by law.

(13) Misrepresentations or fraud in any aspect of the conduct of the profession.

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's safety is at risk.

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health.

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service.

(17) Conviction of any gross misdemeanor or felony relating to the practice of psychology. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW.

(18) Physically abusing or having sexual contact with a patient or client.

(19) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the committee.

(20) The wilful betrayal of a professional secret.

(21) Violation of chapter 19.68 RCW.

Sec. 76. Section 12, chapter 305, Laws of 1955 as amended by section 13, chapter 70, Laws of 1965 and RCW 18.83.130 are each amended to read as follows:

The ((director)) board shall refuse to grant a license to any applicant and shall revoke or suspend ((any license upon proof of the following)) the license of any psychologist, or place other restrictions on that psychologist's practice of psychology, for the following reasons:

(1) ((Conviction of crime involving moral turpitude;

(2) Habitual use of narcotics, or any other substance which impairs the intellect and judgment to such an extent as to incapacitate the applicant or license holder for the practice of psychology;

(3) Habitual drunkenness;

(4) Violation of the provisions of this chapter;

(5) The unethical practice of psychology:)) Commission of any act involving moral turpitude, as defined by the board by rule, dishonesty, or corruption, which relates directly to a person's fitness to practice psychology, whether that act constitutes a crime or not; and if the act constitutes a crime, conviction thereof in criminal proceeding shall not be a condition precedent to disciplinary action. Upon conviction, the judgment and sentence shall be conclusive evidence at any ensuing disciplinary hearing of guilt of the psychologist of the crime described in the indictment or information and of the violation of the statute upon which it is based.

(2) Failing to maintain the confidentiality of information under RCW 18.83.110.

(3) Violations of the ethical code developed by the board under RCW 18.83.050 and 18.83.120.

(4) Failing to inform prospective research subjects or their authorized representatives of the possible serious effects of participation in research; and failing to undertake reasonable efforts to remove possible harmful effects of participation.

(5) Practicing in an area of psychology for which the person is clearly untrained or incompetent.

(6) Being negligent in the practice of psychology.

(7) Failing to exercise appropriate supervision over persons who practice under the supervision of a psychologist.

(8) Using fraud or deceit in the procurement of the psychology license, or knowingly assisting another in the procurement of such a license through fraud or deceit.

(9) Engaging in the practice of psychology while the person's ability to perform professional services is significantly impaired by alcohol, drugs, illness, or other dysfunctions.

(10) Engaging in the practice of psychology when the person's psychology license has been suspended or revoked by competent authority in any other state, federal, or foreign jurisdiction when the reason for that suspension or revocation is a violation of this chapter or rules adopted by the board and its disciplinary committee.

(11) Unprofessional conduct as defined in chapter 19.68 RCW.

(12) Wilful violation of RCW 18.83.120 or section 79 of this 1984 act or wilful disregard of the subpoena or notice of the disciplinary committee.

(13) Failure to abide by the terms of corrective actions directed under RCW 18.83.150.

(14) Violation of any board rule fixing a standard of professional conduct.

NEW SECTION, Sec. 77. There is added to chapter 18.83 RCW a new section to read as follows:

The disciplinary committee shall meet at least once each year or upon the call of the chairperson at such time and place as the chairperson designates. A quorum for transaction of any business shall consist of five members, including at least one public member.

The members of the disciplinary committee shall be immune from suit in any action, civil or criminal, based upon its disciplinary proceedings or other official acts performed in good faith as members of the committee.

The committee shall have the following authority:

(1) To order investigation of all complaints or reports of unprofessional conduct as defined in this chapter and to hold hearings as provided in this chapter;

(2) To issue subpoenas and administer oaths in connection with any investigation, hearing, or proceeding held under this chapter;

(3) To take or cause depositions to be taken and use other discovery procedures as needed in any investigation, hearing, or proceeding held under this chapter;

(4) To compel attendance of witnesses at hearings;

(5) In the course of investigating a complaint of unprofessional conduct, to conduct practice reviews;

(6) To take emergency action ordering summary suspension of a license, or restriction or limitation of the licensee's practice pending proceedings by the committee;

(7) To use the office of administrative hearings as authorized in chapter 34.12 RCW to conduct hearings; however, the disciplining authority shall make the final decision regarding disposition of the license;

(8) To use consultants or individual members of the board to assist in the direction of investigations and issuance of statements of charges; however, the member of the board shall not subsequently participate in the hearing of the case;

(9) To enter into contracts for professional services determined to be necessary for adequate enforcement of this chapter;

(10) To contract with licensees or other persons or organizations to provide services necessary for the monitoring and supervision of licensees who are placed on probation, whose professional activities are restricted, or who are for any authorized purpose subject to monitoring by the committee;

(11) To grant or deny license application, and in the event of a finding of unprofessional conduct by an applicant or license holder, to impose any sanction against a license applicant or license holder provided by this chapter;

(12) To enter into an assurance of discontinuance in lieu of issuing a statement of charges or conducting a hearing. The assurance shall consist of a statement of the law in question and an agreement not to violate the stated provision. The applicant or license holder shall not be required to admit to any violation of the law, nor shall the assurance be construed as such an admission. Violation of an assurance under this subsection is grounds for disciplinary action;

(13) To maintain records of all activities, and to publish and distribute to all psychologists at least once each year abstracts of significant activities of the committee;

(14) To obtain the written consent of the complaining client or patient or their legal representative, or of any person who may be affected by the complaint, in order to obtain information which otherwise might be confidential or privileged;

(15) To report, when appropriate, statements of complaints and disposition of cases processed by the committee to:

(a) The person or agency initiating the action;

(b) Appropriate national and state organizations which represent the profession of psychology, including counterpart licensing boards in other states; and

(c) The public.

This subsection does not require the reporting of any information which is exempt from public disclosure pursuant to chapter 42.17 RCW or is otherwise privileged or confidential.

The committee has, in addition to the powers and duties set forth in this chapter, all of the powers and duties under chapter 34.04 RCW, which include, without limitation, all powers relating to the administration of oaths, the receipt of evidence, the issuance and enforcing of subpoenas, and the taking of depositions.

NEW SECTION, Sec. 78. There is added to chapter 18.83 RCW a new section to read as follows:

The director has the following authority:

(1) To hire such investigative, administrative, and clerical staff as necessary for the enforcement of this chapter;

(2) To establish fees to be paid for witnesses, expert witnesses, and consultants used in any investigation, hearing, or proceeding, and to reimburse the individuals for services provided.

NEW SECTION, Sec. 79. There is added to chapter 18.83 RCW a new section to read as follows:

The disciplinary committee may take any of the following actions as a result of investigation of a complaint and the ensuing hearing:

(1) Revocation of the license.

(2) Suspension of the license for a fixed term.

(3) Restriction or limitation upon the licensee's practice.

(4) Establishment of a requirement that a licensee complete a specified program of continuing education or reeducation.

(5) Monitoring of the licensee's practice by a licensed psychologist or other person or organization appointed by the committee.

(6) Censure or reprimand.

(7) Compliance with conditions of probation for a designated period of time.

(8) Any combination of the foregoing, which may be partly or totally stayed.

(9) Dismissal of the complaint and exoneration of the licensee.

(10) Payment of a fine for each violation of this chapter, not to exceed one thousand dollars per violation. Funds received shall be placed in the health professions account.

(11) Denial of the license request.

(12) Corrective action by the license holder.

(13) Refund of fees charged to the consumer by the license holder.

NEW SECTION, Sec. 80. There is added to chapter 18.83 RCW a new section to read as follows:

The committee shall report to appropriate national and state organizations which represent the profession of psychology any action taken pursuant to an investigation or hearing that finds a licensee has committed unprofessional or unethical conduct.

In the event of an order for revocation or suspension of a psychology license, or for restriction or limitation of a licensee's practice, the committee shall report such action to the public. This public notification shall be suspended for thirty days from date of filing of any appeal.

If the committee finds that a complaint against a licensee is not substantiated, or if there is no finding of unprofessional or unethical conduct, resulting in dismissal of the complaint and exoneration of the licensee, the committee shall attempt to relieve the licensee of any possible odium that may attach by reason of the complaint by such public exoneration as is necessary.

NEW SECTION, Sec. 81. There is added to chapter 18.83 RCW a new section to read as follows:

Any portion or all of the costs associated with providing a psychologist or other person or organization for monitoring the conditions of probation or of the licensee's compliance with the terms of the committee's decision and order may be assessed by the committee against the licensee, in which event payment of such costs and expenses shall become a legal obligation of the licensee to the department of licensing.

NEW SECTION. Sec. 82. There is added to chapter 18.83 RCW a new section to read as follows:

Orders of the board may be appealed as provided in chapter 34.04 RCW. An order, if appealed, shall not be stayed pending the appeal unless the committee or the court to which the appeal is taken enters an order staying the order of the committee, which stay shall provide terms necessary to protect the public.

Sec. 83. Section 17, chapter 305, Laws of 1955 as last amended by section 76, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.83.170 are each amended to read as follows:

Upon application accompanied by a fee determined by the director as provided in RCW ~~((43.24.085 as now or hereafter amended))~~ 43.24.086, the board may ~~((recommend and the director shall be empowered to))~~ grant a license, without written ~~((or oral))~~ examination, to any applicant who has not previously failed any examination held by the board of psychology of the state of Washington and furnishes evidence satisfactory to the board that ~~((he))~~ the applicant:

(1) Holds a doctoral degree with primary emphasis on psychology from an accredited college or university; and

(2) Is licensed or certified to practice psychology in another state or country in which the requirements for such licensing or certification are, in the judgment of the board, essentially equivalent to those required by this chapter and the rules and regulations of the board. Such individuals must have been licensed or certified in another state for a period of at least two years; or

(3) Is a ~~((diplomat))~~ diplomat in good standing of the American Board of Examiners in Professional Psychology.

NEW SECTION. Sec. 84. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 305, Laws of 1955, section 3, chapter 70, Laws of 1965, section 27, chapter 292, Laws of 1971 ex. sess. and RCW 18.83.030;

(2) Section 4, chapter 305, Laws of 1955, section 4, chapter 70, Laws of 1965 and RCW 18.83.040;

(3) Section 14, chapter 305, Laws of 1955, section 14, chapter 70, Laws of 1965 and RCW 18.83.140;

(4) Section 15, chapter 305, Laws of 1955, section 15, chapter 70, Laws of 1965 and RCW 18.83.150; and

(5) Section 16, chapter 305, Laws of 1955, section 16, chapter 70, Laws of 1965, section 61, chapter 81, Laws of 1971 and RCW 18.83.160.

NEW SECTION. Sec. 85. There is added to chapter 43.131 RCW a new section to read as follows:

The powers and duties of the board of psychologists examiners shall be terminated on June 30, 1986."

Renumber the sections consecutively.

On page 1, line 15 of the title, after "18.73.040;" strike all material down to and including "18.83.030;" on line 17

On page 1, line 24 of the title, after "18.32.620;" insert "amending section 1, chapter 305, Laws of 1955 as last amended by section 67, chapter 158, Laws of 1979 and RCW 18.83.010; amending section 5, chapter 305, Laws of 1955 as amended by section 5, chapter 70, Laws of 1965 and RCW 18.83.050; amending section 6, chapter 305, Laws of 1955 as last amended by section 72, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.83.060; amending section 7, chapter 305, Laws of 1955 as amended by section 7, chapter 70, Laws of 1965 and RCW 18.83.070; amending section 20, chapter 70, Laws of 1965 as amended by section 15, chapter 266, Laws of 1971 ex. sess. and RCW 18.83.072; amending section 23, chapter 70, Laws of 1965 as amended by section 73, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.83.082; amending section 9, chapter 305, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1977 and RCW 18.83.090; amending section 13, chapter 305, Laws of 1955 as amended by section 12, chapter 70, Laws of 1965 and RCW 18.83.120; amending section 12, chapter 305, Laws of 1955 as amended by section 13, chapter 70, Laws of 1965 and RCW 18.83.130; amending section 17, chapter 305, Laws of 1955 as last amended by section 76, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.83.170;"

On page 2, line 6 of the title, strike "a new section" and insert "new sections"

On page 1, line 24 of the title, after "18.32.620;" insert "amending section 3, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.030; amending section 7, chapter 57, Laws of 1970 ex. sess. as last amended by section 2, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.070; amending section 7, chapter 57, Laws of 1970 ex. sess. as last amended by section 2 of this 1984 act and RCW 18.52.070; amending section 9, chapter 57, Laws of 1970 ex. sess. as amended by section 3, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.090; amending section 11, chapter

57, Laws of 1970 ex. sess. as last amended by section 54, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.52.110; amending section 12, chapter 57, Laws of 1970 ex. sess. as last amended by section 5, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.120; amending section 17, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.160;"

On page 2, line 1 of the title strike "a new section" and insert "new sections"

On page 2, line 9 of the title, after "new section;" insert On page 2, line 9 of the title after "section;" insert "repealing section 8, chapter 57, Laws of 1970 ex. sess., section 53, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.52.080; providing an effective date;"

"repealing section 3, chapter 305, Laws of 1955, section 3, chapter 70, Laws of 1965, section 27, chapter 292, Laws of 1971 ex. sess. and RCW 18.83.030; repealing section 4, chapter 305, Laws of 1955, section 4, chapter 70, Laws of 1965 and RCW 18.83.040; repealing section 14, chapter 305, Laws of 1955, section 14, chapter 70, Laws of 1965 and RCW 18.83.140; repealing section 15, chapter 305, Laws of 1955, section 15, chapter 70, Laws of 1965 and RCW 18.83.150; repealing section 16, chapter 305, Laws of 1955, section 16, chapter 70, Laws of 1965, section 61, chapter 81, Laws of 1971 and RCW 18.83.160;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kreidler, the House concurred in all of the Senate amendments to Substitute House Bill No. 1178 except the amendment to page 4, line 17, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652 with the following amendments:

On page 3, beginning on line 20, after "include" strike ":(a) Fireworks" and insert "fireworks"

On page 3, beginning on line 22, after "rockets" strike all material down to and including "section" on line 25

On page 16, after line 17 insert:

"NEW SECTION. Sec. 38. There is added to chapter 70.77 RCW a new section to read as follows:

In an action based on fault seeking to recover damages for injury or death to person or harm to property resulting from the sale of fireworks in violation of this chapter, no contributory fault is chargeable to the claimant to diminish an award of compensatory damages for any such injury, death or harm."

Renumber the remaining sections consecutively.

On page 16, after line 17 insert:

"NEW SECTION. Sec. 39. There is added to chapter 70.77 RCW a new section to read as follows:

It is unlawful for any person, firm, partnership or corporation to print or broadcast any advertisement for the sale of fireworks in violation of this chapter."

Renumber the remaining sections consecutively.

On page 16, beginning on line 24 strike the remainder of the bill and insert the following:

"NEW SECTION. Sec. 42. Sections 2, 3, and 40 of this act shall take effect on January 1, 1985. All other sections 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 2, line 19 of the title after "penalties;" insert "providing effective dates;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Locke, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1652, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 689 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the small businesses in the state of Washington are essential to the well-being of the state's economy and that these businesses have unique needs and problems that must be dealt with to insure a healthy economy for all of the citizens of the state. The legislature further recognizes that small businesses represent a majority of the businesses in this state and that it is vital that the ability of small businesses be enhanced to provide more jobs for Washington workers, insure essential economic competition, and broaden the industrial base of Washington industries. To stimulate the expansion of small business growth and resultant new jobs, the legislature finds that:

(1) There is a need for an overall coordination within the state that can integrate, coordinate, and provide services to small businesses and more efficiently use the individual operating entities as they now exist; and

(2) There is a need for additional services for the small business community in the areas of financing, dealing with regulatory problems, and encouraging more small businesses to export their products and services overseas.

(3) There is a need for an advisory council to establish long-range policy recommendations for state delivered small business programs.

NEW SECTION. Sec. 2. As used in this chapter, a 'small business assistance program' is any service offered by a unit of state government where the majority of the services attempt to aid or assist in the establishment, expansion, or management of a small business as defined in RCW 43.31.920.

NEW SECTION. Sec. 3. (1) There is established the small business assistance coordinating council, referred to in this chapter as 'the council.'

(2) The council shall consist of nine persons, three of whom shall be appointed by the governor. The council shall include the director of commerce and economic development or its successor, the director of planning and community affairs or its successor, two members of the house of representatives, one from each of the two political parties with the largest number of members, appointed by the speaker of the house of representatives from the house committee on commerce and economic development or its successor, and two members of the senate, one from each of the two political parties with the largest number of members, appointed by the president of the senate from the senate committee on commerce and labor or its successor. The members appointed by the governor shall include representatives of small businesses from the various geographic areas of the state one or two of whom shall also represent minority-owned business and women-owned business. The council shall elect a chairman from among the voting members. The planning and community affairs agency or its successor is responsible for providing administrative support to the council and shall keep a record of the proceedings of each council meeting.

(3) All voting members of the council shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(4) If a vacancy in an appointive position on the council occurs by death, resignation, or otherwise, the governor shall fill the position for the unexpired term. Any members of the council, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor.

NEW SECTION. Sec. 4. The council shall be responsible for:

(1) Reviewing the small business assistance programs now being offered by all units of state government except the federally funded service centers administered by the department of transportation and approved by the federal highway administration;

(2) Reviewing the contract between the small business development center and the federal small business administration, and the contract between the small business development center and the federal economic development administration; and

(3) Reviewing the coordination of all small business assistance programs and making recommendations to reduce duplication of services and to increase the efficiency of available programs.

NEW SECTION. Sec. 5. To enable the council to carry out its responsibilities, every unit of state government which provides a small business assistance program shall report to the small business assistance coordinating council in writing by September 1, 1984. The report shall include:

(1) A description of the small business assistance program offered by the unit of state government;

(2) The amount of state funds expended to operate the small business assistance program;

(3) The sources and amount of any other funds available to the unit of government to operate a small business assistance program and the extent to which the funds are being used by the unit of state government;

(4) The method by which the activity is being delivered by the unit of state government to the small business community;

(5) Information on the benefits derived from the program; and

(6) Any other information as may be requested by the council.

NEW SECTION. Sec. 6. The small business assistance coordinating council shall report to the legislature and governor by December 31, 1984, on recommendations to improve the dissemination of small business assistance in the state. The report shall include:

- (1) A description of the types, quantity, and benefits of small business assistance available in the state including federal, state, and local programs;
- (2) A description of the available services and the unmet need for small business assistance in the following areas:
 - (a) General small business management and technical assistance;
 - (b) Community development assistance, including loan packaging, proposal writing, development planning, and commercial development;
 - (c) Entrepreneurial development, innovative assessment, and technology transfer; and
 - (d) Export assistance and financing;
- (3) A set of recommendations to improve the delivery and efficiency of small business assistance and to reduce duplication of effort where possible.

NEW SECTION. Sec. 7. (1) There is established the small business improvement council to consist of at least fifteen but not more than thirty members to be appointed by the governor. In making the appointments, the governor shall consider the recommendations of business organizations and persons operating small businesses. At least fifteen percent of the members of the council shall be women or members of minority groups, and at least one member of the council shall represent agribusiness concerns. Members of the small business improvement council shall be appointed for terms of four years, but the governor may modify the terms of the initial members as necessary to achieve staggered terms.

(2) Members of the small business improvement council shall not be compensated or be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) The department of commerce and economic development or its successor agency shall provide staff support and administrative assistance to the council.

NEW SECTION. Sec. 8. The small business improvement council shall seek to identify regulatory, administrative, and legislative proposals that will improve the entrepreneurial environment for small businesses. In consultation with the department of commerce and economic development and the appropriate standing committees of the senate and house of representatives, the small business improvement council shall submit its proposals to the governor and the legislature prior to the convening of each regular session of the legislature. The proposals shall include the recommendations of the council's subcommittees established under section 9 of this act.

NEW SECTION. Sec. 9. (1) The small business improvement council may establish such subcommittees and task forces as the council deems necessary. Membership of subcommittees and task forces need not be limited to members of the council.

(2) Subcommittees of the council shall include:

- (a) A subcommittee on small business taxation;
- (b) A subcommittee on small business venture and management education;
- (c) A subcommittee on private sector contract services; and
- (d) Other subcommittees as deemed necessary on appropriate subjects, i.e., capital formation and retention, marketing, unemployment compensation, and rules and regulations.

(3) The department of commerce and economic development shall assist in the formation of local advisory councils in each legislative district throughout the state. The persons serving on the local advisory councils shall not be compensated or reimbursed for travel expenses.

NEW SECTION. Sec. 10. The subcommittee on small business taxation shall study the present business tax structure and investigate related proposals to attract and encourage small businesses in the state. In fulfilling this function, the subcommittee shall establish local small business advisory councils throughout the state. Members of the local advisory councils shall not be compensated or reimbursed for travel expenses.

The subcommittee on small business taxation may conduct studies, hold public hearings, and employ consultants as necessary to carry out the purposes of the subcommittee.

NEW SECTION. Sec. 11. The subcommittee on small business venture and management education shall encourage the implementation of small business venture and management education programs in the state's community colleges and vocational-technical institutes. Such education programs shall provide instruction in the formation, operation, and management of a small business. The subcommittee shall assist in curriculum development, promotion, and marketing of these education programs. Emphasis shall be given to part-time, evening, and weekend class offerings.

NEW SECTION. Sec. 12. The subcommittee on private sector contract services shall have as its mission the identification of program and service areas within state and local government which can and should be contracted out on a competitive bid basis to private sector organizations. In particular, the subcommittee shall identify those governmental services that the private sector can perform more efficiently than the public sector, with equal or better quality of service. The goal of this program is to reduce the cost of government while improving the delivery of services.

The subcommittee on private sector contract services shall include representatives of government, business, and industry.

NEW SECTION, Sec. 13. This chapter shall expire June 30, 1988.

NEW SECTION, Sec. 14. Sections 7 through 13 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION, Sec. 15. There is appropriated to the small business improvement council for the biennium ending June 30, 1985, from the general fund the sum of thirty-seven thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of sections 7 through 12 of this act.

NEW SECTION, Sec. 16. There is appropriated from the general fund for the year ending December 31, 1984, to the planning and community affairs agency or its successor the sum of forty-five thousand dollars, or so much thereof as may be necessary, to carry out the purposes of the small business assistance coordinating council.

NEW SECTION, Sec. 17. 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. 18. Sections 1 through 6 of this act shall expire on December 31, 1984.

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."

On page 1, line 1 of the title, after "business;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; creating new sections; making appropriations; providing expiration dates; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. J. King, the House refused to concur in the Senate amendments to Second Substitute House Bill No. 689, and ask the Senate to recede therefrom.

The Speaker assumed the Chair.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1262 with the following amendments:

On page 5, line 19 after "FINANCING," strike the remainder of the section and insert the following: "In order to assure payment of the bonds, the board shall consider and may require users to provide appropriate security. Such security may include but is not limited to letters of credit, deeds of trust, guarantees, mortgage insurance or cash reserves. If federal funds are used to provide additional security for the protection of bond purchasers the board shall require a credit analysis by a financial institution of each user of an umbrella board in order to ensure the marketability of the bonds."

On page 8, line 6 after "made," strike all of the material down to and including "39,84,020." on line 9 and insert "The board shall only fund (1) those projects whose specific private development and expansions are primarily involved in manufacturing, processing, production, assembly, warehousing and distribution; and (2) those projects which substantially support the trading of goods and services outside of the state's borders."

On page 8, line 11 after "completed" insert ", or where existing permanent or seasonal employment will be significantly damaged if the project does not occur"

On page 8, after line 34 insert the following:

"NEW SECTION, Sec. 17. All funds remaining or hereafter deposited in or repaid to any accounts created under RCW 43.31A.320 shall be automatically transferred to the public works revolving fund established in chapter ...(SSB 4404), Laws of 1984."

Re-number the remaining sections consecutively, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

On motion of Mr. J. King, the House concurred in the Senate amendments to page 5, line 19; page 8, line 6 and page 8, line 34, of Substitute House Bill No. 1262.

On motion of Mr. J. King, the House refused to concur in the Senate amendment to page 8, line 11 and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE JOINT MEMORIAL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE JOINT MEMORIAL NO. 16 with the following amendment:

On page 1, line 20 after "equality for" strike "women" and insert "all persons" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Pruitt, the House refused to concur in the Senate amendment to Engrossed House Joint Memorial No. 16, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 271 with the following amendments:

On page 3, beginning on line 17, delete all of section 2 and insert the following:

NEW SECTION, Sec. 2. This act shall apply only to surviving spouses receiving benefits under RCW 43.43.270(2) on or after the effective date of this act. No surviving spouse whose benefits under RCW 43.43.270(2) were terminated before the effective date of this act due to remarriage shall be governed by this act, and this act shall neither retroactively nor prospectively restore such terminated benefits. This act shall apply only to surviving unmarried children receiving benefits under RCW 43.43.270 (3) or (4) on or after the effective date of this act. No benefits shall be paid under RCW 43.43.270 (3)(b) or (4)(b) for any period before the effective date of this act.

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."

In line 3 of the title, after "43.43.270;" strike "and"

In line 4 of the title, after "section" and before the period, insert "; and declaring an emergency"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Grimm, the House concurred in the Senate amendments to Substitute House Bill No. 271.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 271 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 271 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 11; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Broback, Brough, Burns, Chandler, Charmley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Berozoff, Bond, Brække, Cantu, Fuhrman, Nealey, Rust, Sanders, Sommers, Van Luven, Williams J - 11.

Substitute House Bill No. 271 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 706 with the following amendments:

On page 1, line 6 after "The" insert "interest and"

On page 1, line 15 after "of" insert "interest and"

On page 1, line 15 after "full" insert "amount of interest and"
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Moon, the House concurred in the Senate amendments to Engrossed House Bill No. 706.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 706 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 706 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 706 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1106 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 9A.52 RCW a new section to read as follows:

(1) A person is guilty of computer trespass in the first degree if the person, without authorization, intentionally gains access to a computer system or electronic data base of another; and

(a) The access is made with the intent to commit another crime; or

(b) The violation involves a computer or data base maintained by a government agency.

(2) Computer trespass in the first degree is a class C felony.

NEW SECTION, Sec. 2. There is added to chapter 9A.52 RCW a new section to read as follows:

(1) A person is guilty of computer trespass in the second degree if the person, without authorization, intentionally gains access to a computer system or electronic data base of another under circumstances not constituting the offense in the first degree.

(2) Computer trespass in the second degree is a gross misdemeanor.

NEW SECTION, Sec. 3. There is added to chapter 9A.52 RCW a new section to read as follows:

A person who, in the commission of a computer trespass, commits any other crime may be punished for that other crime as well as for the computer trespass and may be prosecuted for each crime separately.

Sec. 4. Section 2, chapter 260, Laws of 1981 and RCW 9A.48.100 are each amended to read as follows:

For the purposes of RCW 9A.48.070 through 9A.48.090 inclusive:

(1) 'Physical damage', in addition to its ordinary meaning, shall include the total or partial alteration, damage, obliteration, or erasure of records, information, data, ((or)) computer programs, or their computer representations, which are ((electronically)) recorded for use in computers or the impairment, interruption, or interference with the use of such records, information, data, or computer programs, or the impairment, interruption, or interference with the use of any computer or services provided by computers. 'Physical damage' also includes any diminution in the value of any property as the consequence of an act:

(2) If more than one item of property is physically damaged as a result of a common scheme or plan by a person and the physical damage to the property would, when considered separately, constitute mischief in the third degree because of value, then the value of the damages may be aggregated in one count. If the sum of the value of all the physical damages exceeds two hundred fifty dollars, the defendant may be charged with and convicted of malicious mischief in the second degree.

Sec. 5. Section 9A.52.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.010 are each amended to read as follows:

The following definitions apply in this chapter:

(1) 'Premises' includes any building, dwelling, or any real property;

(2) 'Enter'. The word 'enter' when constituting an element or part of a crime, shall include the entrance of the person, or the insertion of any part of his body, or any instrument or weapon held in his hand and used or intended to be used to threaten or intimidate a person or to detach or remove property;

(3) 'Enters or remains unlawfully'. A person 'enters or remains unlawfully' in or upon premises when he is not then licensed, invited, or otherwise privileged to so enter or remain.

A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner;

(4) 'Data' means a representation of information, knowledge, facts, concepts, or instructions that are being prepared or have been prepared in a formalized manner and are intended for use in a computer;

(5) 'Computer program' means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data;

(6) 'Access' means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, directly or by electronic means.

Sec. 6. Section 9A.56.010, chapter 260, Laws of 1975 1st ex. sess. as amended by section 8, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.56.010 are each amended to read as follows:

The following definitions are applicable in this chapter unless the context otherwise requires:

(1) 'Appropriate lost or misdelivered property or services' means obtaining or exerting control over the property or services of another which the actor knows to have been lost or mislaid, or to have been delivered under a mistake as to identity of the recipient or as to the nature or amount of the property;

(2) 'By color or aid of deception' means that the deception operated to bring about the obtaining of the property or services; it is not necessary that deception be the sole means of obtaining the property or services;

(3) 'Credit card' means any instrument or device, whether incomplete, revoked, or expired, whether known as a credit card, credit plate, charge plate, courtesy card, or by any other name, issued with or without fee for the use of the cardholder in obtaining money, goods, services, or anything else of value, including satisfaction of a debt or the payment of a check drawn by a cardholder, either on credit or in consideration of an undertaking or guarantee by the issuer;

(4) 'Deception' occurs when an actor knowingly:

(a) Creates or confirms another's false impression which the actor knows to be false; or

(b) Fails to correct another's impression which the actor previously has created or confirmed; or

(c) Prevents another from acquiring information material to the disposition of the property involved; or

(d) Transfers or encumbers property without disclosing a lien, adverse claim, or other legal impediment to the enjoyment of the property, whether that impediment is or is not valid, or is or is not a matter of official record; or

(e) Promises performance which the actor does not intend to perform or knows will not be performed.

(5) 'Deprive' in addition to its common meaning means to make unauthorized use or an unauthorized copy of records, information, data, trade secrets, or computer programs(~~provided that the aforementioned are of a private proprietary nature~~);

(6) 'Obtain control over' in addition to its common meaning, means:

(a) In relation to property, to bring about a transfer or purported transfer to the obtainer or another of a legally recognized interest in the property; or

(b) In relation to labor or service, to secure performance thereof for the benefits of the obtainer or another;

(7) 'Wrongfully obtains' or 'exerts unauthorized control' means:

(a) To take the property or services of another; or

(b) Having any property or services in one's possession, custody or control as bailee, factor, pledgee, servant, attorney, agent, employee, trustee, executor, administrator, guardian, or officer of any person, estate, association, or corporation, or as a public officer, or person authorized by agreement or competent authority to take or hold such possession, custody, or control, to secrete, withhold, or appropriate the same to his own use or to the use of any person other than the true owner or person entitled thereto;

(8) 'Owner' means a person, other than the actor, who has possession of or any other interest in the property or services involved, and without whose consent the actor has no authority to exert control over the property or services;

(9) 'Receive' includes, but is not limited to, acquiring title, possession, control, or a security interest, or any other interest in the property;

(10) 'Services' includes, but is not limited to, labor, professional services, transportation services, electronic computer services, the supplying of hotel accommodations, restaurant services, entertainment, the supplying of equipment for use, and the supplying of commodities of a public utility nature such as gas, electricity, steam, and water;

(11) 'Stolen' means obtained by theft, robbery, or extortion;

(12) Value. (a) 'Value' means the market value of the property or services at the time and in the approximate area of the criminal act.

(b) Whether or not they have been issued or delivered, written instruments, except those having a readily ascertained market value, shall be evaluated as follows:

(i) The value of an instrument constituting an evidence of debt, such as a check, draft, or promissory note, shall be deemed the amount due or collectible thereon or thereby, that figure ordinarily being the face amount of the indebtedness less any portion thereof which has been satisfied;

(ii) The value of a ticket or equivalent instrument which evidences a right to receive transportation, entertainment, or other service shall be deemed the price stated thereon, if any; and if no price is stated thereon, the value shall be deemed the price of such ticket or equivalent instrument which the issuer charged the general public;

(iii) The value of any other instrument that creates, releases, discharges, or otherwise affects any valuable legal right, privilege, or obligation shall be deemed the greatest amount of economic loss which the owner of the instrument might reasonably suffer by virtue of the loss of the instrument.

(c) Whenever any series of transactions which constitute theft, would, when considered separately, constitute theft in the third degree because of value, and said series of transactions are a part of a common scheme or plan, then the transactions may be aggregated in one count and the sum of the value of all said transactions shall be the value considered in determining the degree of theft involved.

(d) Whenever any person is charged with possessing stolen property and such person has unlawfully in his possession at the same time the stolen property of more than one person, then the stolen property possessed may be aggregated in one count and the sum of the value of all said stolen property shall be the value considered in determining the degree of theft involved.

(e) Property or services having value that cannot be ascertained pursuant to the standards set forth above shall be deemed to be of a value not exceeding two hundred and fifty dollars."

On page 1, line 1 of the title, after "trespass," insert "amending section 2, chapter 260, Laws of 1981 and RCW 9A.48.100; amending section 9A.52.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.010; amending section 9A.56.010, chapter 260, Laws of 1975 1st ex. sess. as amended by section 8, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.56.010;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendments to Substitute House Bill No. 1106.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1106 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1106 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1106 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1123 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 91, chapter 3, Laws of 1983 and RCW 41.05.025 are each amended to read as follows:

(1) There is hereby created a state employees' insurance board to be composed of the members of the present board holding office on the day prior to July 1, 1977, which such members shall serve until the expiration of the period of time of the term for which they were appointed and until their successors are appointed and qualified. Thereafter the board shall be composed as follows: The governor or the governor's designee; one administrative officer representing all of higher education to be appointed by the governor; two higher education faculty members to be appointed by the governor; the director of the department of personnel who shall act as trustee; one representative of an employee association certified as an exclusive representative of at least one bargaining unit of classified employees and one representative of an employee union certified as exclusive representative of at least one bargaining unit of classified employees, both to be appointed by the governor; one person who is retired and is covered by a program under the jurisdiction of the board, to be appointed by the governor; one member of the senate who shall be appointed by the president of the senate; and one member of the house of representatives who shall be appointed by the speaker of the house. The terms of office of the administrative officer representing higher education, the two higher education faculty members, the representative of an employee association, the retired person, and the representative of an employee union shall be for four years: PROVIDED, That the first term of one faculty member and one employee association or union representative member shall be for three years. Meetings of the board shall be at the call of the director of personnel. The board shall prescribe rules for the conduct of its business and shall elect a chairman and vice chairman annually. Members of the board shall receive no compensation for their services, but shall be paid for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, and legislative members shall receive allowances provided for in RCW 44.04.120.

(2) The board shall study all matters connected with the providing of adequate health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any one of, or a combination of, the enumerated types of insurance and health care plans for employees and their dependents on the best basis possible with relation both to the welfare of the employees and to the state: PROVIDED, That liability insurance shall not be made available to dependents. The board shall design benefits, devise specifications, analyze carrier responses to advertisements for bids, determine the terms and conditions of employee participation and coverage, and decide on the award of contracts which shall be signed by the trustee on behalf of the board: PROVIDED, That all contracts for insurance, health care plans, including panel medicine plans, or protection applying to employees covered by RCW 28B.10.660 and chapters 41.04 and 41.05 RCW shall provide that the beneficiaries of such insurance, health care plans, or protection may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.88 RCW: PROVIDED FURTHER, That the boards of trustees and boards of regents of the several institutions of higher education shall retain sole authority to provide liability insurance as provided in RCW 28B.10.660. The board shall from time to time

review and amend such plans. Contracts for all plans shall be rebid and awarded at least every five years.

(3) The board shall develop and provide as a part of the employee insurance benefit program an employee health care benefit plan which may be provided through a contract or contracts with regularly constituted insurance carriers or health care service contractors as defined in chapter 48.44 RCW, and a plan to be provided by a panel medicine plan in its service area only when approved by the board. The board may but shall not be required to pay more for health benefits under a panel medicine plan than it would otherwise be required to pay for health benefits by a contract with a regularly constituted insurance carrier or health care service contractor in effect at the time the panel medicine plan is included in the employee health care benefit plan. Except for panel medicine plans, the board may but is not required to contract with more than one insurance carrier or health care service contractor to provide similar benefits: PROVIDED, That employees may choose participation in only one of the health care benefit plans sponsored by the board. Active employees, as defined in RCW 41.05.010(2), eligible for medicare benefits shall have the option of continuing participation in health care programs on the same basis as all other employees or participation in medicare supplemental programs as may be developed by the board. These health care benefit plans shall provide coverage for all officials and employees and their dependents without premium or subscription cost to the individual employees and officials, unless the board approves a panel medicine plan at a subscription rate in excess of the premium of the regularly constituted insurance carrier or health care service contractor, in which circumstances an employee contribution may be authorized at an amount equal to such excess. Rates for self pay segments of state employee groups will be developed from the experience of the entire group. Such self pay rates will be established based on a separate rate for the employee, the spouse, and children.

(4) The board shall review plans proposed by insurance carriers who desire to offer property insurance and/or accident and casualty insurance to state employees through payroll deduction. The board may approve any such plan for payroll deduction by carriers holding a valid certificate of authority in the state of Washington and which the board determines to be in the best interests of employees and the state. The board shall promulgate rules setting forth criteria by which it shall evaluate the plans.

(5) (a) The state employees' insurance board may self-fund, self-insure, or enter into other methods of providing for programs under its jurisdiction, except property and casualty insurance authorized under subsection (4) of this section. The board may contract for payment of claims or other administrative services including the purchase of reinsurance for programs under its jurisdiction. If programs do not require the prepayment of reserves the board shall establish that such reserves be maintained for the payment of claims as are normally required for that method of providing that type of insurance. Reserves established by the board shall be held in respective separate trust accounts of the state employees' insurance fund by the state treasurer. The state investment board is authorized to invest moneys in the state employees' insurance fund in accordance with the provisions of RCW 43.84.150. Except as provided in RCW 43.33A.160, one hundred percent of all earnings from these investments shall accrue directly to the state employees' insurance fund and the separate accounts which may be created.

(b) Group disability coverage provided as a self-insured program of the state employees' insurance board shall provide conversion rights in accordance with RCW 48.21.210.

(c) Group disability coverage provided as a self-insured program of the state employees' insurance board shall provide coverage as required by RCW 48.21.130, 48.21.140, 48.21.141, 48.21.142, 48.21.144, 48.21.146, 48.21.150, 48.21.155 and 48.121.180.

(d) Group disability coverage provided as a self-insured program of the state employees' insurance board shall conform with the requirements of RCW 48.21.200 (1) and (2).

(e) Any savings realized as a result of a program created under this subsection (5) shall not be used to increase benefits unless such use is authorized by statute.

(f) The state employees' insurance board shall keep or cause to be kept full and adequate accounts and records of the assets, obligations, transactions and affairs of any program created under this subsection (5).

(g) The state employees' insurance board shall file an annual report of the financial condition, transactions and affairs of any program under the board's jurisdiction. The report shall also contain actuarial information regarding the adequacy of the reserves established for the type of insurance being offered. A copy of the annual report shall be filed with the speaker of the house of representatives, the president of the senate, and the office of the state auditor. The statement shall be signed by a member of the American Academy of Actuaries certifying that the actuarial amounts are computed in accordance with commonly accepted actuarial standards; and include all actuarial reserves and related statement items required for the sound operation of any employee benefits program.

(e) Members of the board shall be deemed to stand in a fiduciary relationship to the employees covered by any insurance program created under this subsection (5) and shall discharge the duties of their respective positions in good faith and with that diligence, care and

skill which ordinary prudent persons would exercise under similar circumstances in like positions.

NEW SECTION. Sec. 2. There is appropriated for the biennium ending June 30, 1985, from the state employees' insurance fund to the department of personnel, the sum of seventy-five thousand dollars or so much thereof as may be necessary, for the contractual services to assist the board in the conversion to a self-insured health benefit program.

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, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 91, chapter 3, Laws of 1983 and RCW 41.05.025; making an appropriation; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Monohon, the House concurred in the Senate amendments to Substitute House Bill No. 1123.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1123 as amended by the Senate.

Mr. B. Williams spoke in favor of passage of the bill, and Representatives Addison and Broback spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1123 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 61; nays, 37; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Silver, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Williams J, Wilson - 37.

Substitute House Bill No. 1123 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.

MESSAGES FROM THE SENATE

February 29, 1984

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4849, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 1, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3868,
SUBSTITUTE SENATE BILL NO. 4489,
SUBSTITUTE SENATE BILL NO. 4849,
SENATE BILL NO. 4852,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 448,
 SUBSTITUTE HOUSE BILL NO. 626,
 SUBSTITUTE HOUSE BILL NO. 1105,
 SUBSTITUTE HOUSE BILL NO. 1125,
 SECOND SUBSTITUTE HOUSE BILL NO. 1137,
 HOUSE BILL NO. 1142,
 SUBSTITUTE HOUSE BILL NO. 1311,
 SUBSTITUTE HOUSE BILL NO. 1637,
 SUBSTITUTE HOUSE BILL NO. 1655,
 SUBSTITUTE SENATE BILL NO. 3098,
 SUBSTITUTE SENATE BILL NO. 3868,
 SUBSTITUTE SENATE BILL NO. 4489,
 SUBSTITUTE SENATE BILL NO. 4849,
 SENATE BILL NO. 4852.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1124 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The purpose of this 1984 act is to provide simplified and uniform authorities for various local governments to issue and sell general obligation bonds. It is not the purpose of this 1984 act to alter the indebtedness limitation of local governments.

NEW SECTION, Sec. 2. There is added to chapter 39.46 RCW a new section to read as follows:

(1) General obligation bonds of local governments shall be subject to this section. Unless otherwise stated in law, the maximum term of any general obligation bond issue shall be forty years.

(2) General obligation bonds constitute an indebtedness of the local government issuing the bonds that are subject to the indebtedness limitations provided in Article VIII, section 6 of the state Constitution and are payable from tax revenues of the local government and such other money lawfully available and pledged or provided by the governing body of the local government for that purpose. Such governing body may pledge the full faith, credit and resources of the local government for the payment of general obligation bonds. The payment of such bonds shall be enforceable in mandamus against the local government and its officials. The officials now or hereafter charged by law with the duty of levying taxes pledged for the payment of general obligation bonds and interest thereon shall, in the manner provided by law, make an annual levy of such taxes sufficient together with other moneys lawfully available and pledge therefor to meet the payments of principal and interest on said bonds as they come due.

(3) General obligation bonds issued as physical instruments shall be executed in the manner determined by the governing body or legislative body of the issuer.

(4) Unless another statute specifically provides otherwise, the owner of a general obligation bond, or the owner of an interest coupon, issued by a local government shall not have any claim against the state arising from the general obligation bond or interest coupon.

(5) As used in this section, the term 'local government' means every unit of local government, including municipal corporations, quasi municipal corporations, and political subdivisions, where property ownership is not a prerequisite to vote in the local government's elections.

NEW SECTION, Sec. 3. There is added to chapter 39.36 RCW a new section to read as follows:

The governing body of a taxing district desiring to place a ballot proposition authorizing indebtedness before the voters may submit the proposition at any special election held on the dates authorized in chapter 29.13 RCW. The ballot proposition shall include the maximum amount of the indebtedness to be authorized, the maximum term any bonds may have, a description of the purpose or purposes of the bond issue, and whether excess property tax levies authorized under RCW 84.52.056 will be authorized.

When it is required that such bonds be retired by excess property tax levies, or when the governing body desires such bonds be retired by excess property tax levies, the ballot proposition shall also include authorization for such excess bond retirement property tax levies provided under RCW 84.52.056.

Notice of the proposed election shall be published as required by RCW 29.27.080.

NEW SECTION. Sec. 4. There is added to chapter 39.46 RCW a new section to read as follows:

Notice of intent to sell general obligation bonds at a public sale shall be provided in a reasonable manner as determined by the legislative authority or governing body of the issuer.

Sec. 5. Section 26, chapter 153, Laws of 1957 as last amended by section 18, chapter 167, Laws of 1983 and RCW 17.28.260 are each amended to read as follows:

((†)) A mosquito control district shall have the power to issue general obligation bonds and to pledge the full faith and credit of the district to the payment thereof, for ((any)) authorized ((purpose or)) capital purposes of the mosquito control district((-PROVIDED, That)), and to provide for the retirement thereof by excess property tax levies whenever a proposition authorizing both the issuance of such bonds ((shall have been submitted to the electors of the mosquito control district at a special or general election and assented to)) and the imposition of such excess levies has been approved by the voters of the district, at an election held pursuant to section 3 of this 1984 act, by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said mosquito control district at the last preceding county or state general election. Mosquito control districts may become indebted for capital purposes up to an amount equal to one and one-fourth percent of the value of the taxable property in the district, as the term 'value of the taxable property' is defined in RCW 39.36.015.

((General obligation bonds shall bear interest at a rate or rates as authorized by the board of trustees. The various annual maturities shall commence not more than two years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies.))

Such bonds shall never be issued to run for a longer period than ten years from the date of issue and ((may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

The bonds shall be signed by the presiding officer of the board of trustees of the district and shall be attested by the secretary of the board, one of which signatures may be a facsimile signature and the seal of the mosquito control district shall be impressed thereon. Any interest coupons shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities and towns and at a price not less than par and accrued interest.

There shall be levied by the officers or governing body now or hereafter charged by law with the duty of levying taxes in the manner provided by law an annual levy in excess of the constitutional and/or statutory tax limitations sufficient to meet the annual or semiannual payments of the principal and interest on the said bonds maturing as herein provided upon all taxable property within the mosquito control district.

((2) Notwithstanding subsection (1) of this section, such bonds may)) shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 6. Section 6, chapter 59, Laws of 1955 as last amended by section 19, chapter 167, Laws of 1983 and RCW 27.12.060 are each amended to read as follows:

((†) The board of library trustees of this district may contract indebtedness, and evidence it by issuing and selling, at par plus accrued interest, general obligation bonds of the district in such form as the board of library trustees shall determine, including bearer bonds or registered bonds as provided in RCW 39.46.030. Such bonds, signed by the chairman and the secretary of the board of library trustees, shall be payable at such times as the board of library trustees shall provide, but shall not have maximum term in excess of six years.

The bonds shall provide for the payment of interest semiannually on the first day of January and of July. At the option of the district board, the aggregate amount of bonds may include a sum sufficient to pay the annual interest for a period not exceeding one year from the issuing date of the bonds and, in that event, such interest shall be taken from the proceeds of the sale of the bonds and immediately placed in the general obligation bond fund of the district for payment of interest becoming due during the first year of the bonds.

((2) Notwithstanding subsection (1) of this section, such general obligation bonds may be issued and sold in accordance with chapter 39.46 RCW.

((3)) A rural county library district shall be a public corporation with such powers as are necessary to carry out its functions and for taxation purposes shall have the power vested in municipal corporations for such purposes.

Sec. 7. Section 7, chapter 59, Laws of 1955 as last amended by section 6, chapter 195, Laws of 1973 1st ex. sess. and RCW 27.12.070 are each amended to read as follows:

((At no time shall the total indebtedness of the district exceed an amount that could be raised by a one dollar per thousand dollars of assessed value levy on the then existing value of the taxable property of the district, as the term 'value of the taxable property' is defined in RCW 39.36.015, except as provided in RCW 27.12.222 or RCW 84.52.052 or 84.52.056.)) The

county treasurer of the county in which any rural county library district is created shall receive and disburse all district revenues and collect all taxes levied under this chapter.

Sec. 8. Section 1, chapter 59, Laws of 1955 as last amended by section 11, chapter 123, Laws of 1982 and RCW 27.12.222 are each amended to read as follows:

~~((In addition to the indebtedness authorized by RCW 27.12.150 and 27.12.070:)) A rural county library district, intercounty rural library district, or island library district may contract indebtedness and issue general obligation bonds not to exceed an amount, together with any outstanding nonvoter approved general obligation indebtedness, equal to one-tenth of one percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36.015. The maximum term of nonvoter approved general obligation bonds shall not exceed six years. A rural county library district((s)), island library district((s)), ((and)) or intercounty rural library district((s)) may ((incur)) additionally contract indebtedness and issue general obligation bonds for capital purposes ((to the full extent permitted by the Constitution and may issue general obligation bonds to pay therefor)) only, together with any outstanding general indebtedness, not to exceed an amount equal to one-half of one percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36.015((- Any such indebtedness shall be authorized by resolution of the board of library trustees, and the board of library trustees shall submit the question to the qualified electors of the district for their ratification or rejection whether or not such indebtedness shall be incurred and such bonds issued. Such proposition to be effective must be authorized by an affirmative vote of three-fifths of the electors within the district voting at a general or special election to be held for the purpose of authorizing such indebtedness and bond issue)) whenever a proposition authorizing the issuance of such bonds has been approved by the voters of the district pursuant to section 3 of this 1984 act, by three-fifths of the persons voting on the proposition at which election the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in such taxing district at the last preceding general election. If the voters shall so authorize at an election held pursuant to section 3 of this 1984 act, the district may levy annual taxes in excess of normal legal limitations to pay the principal and interest upon such bonds as they shall become due. The excess levies mentioned in this section or in RCW 84.52.052 or 84.52.056 may be made notwithstanding anything contained in RCW 27.12.050((- 27.12.070)) or 27.12.150 or any other statute pertaining to such library districts.~~

Sec. 9. Section 2, chapter 59, Laws of 1955 as last amended by section 20, chapter 167, Laws of 1983 and RCW 27.12.223 are each amended to read as follows:

~~((+)) Bonds authorized by RCW 27.12.222 shall be ((serial in form and maturity and numbered from one upward consecutively. Only bond No. 1 of any issue shall be of a denomination other than a multiple of one hundred dollars. The resolution authorizing the issuance of the bonds shall fix the rate or rates of interest the bonds shall bear, and the place and date of payment of principal and interest. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030. The bonds shall be signed by the chairman of the board of library trustees and attested by the secretary. Any coupons in lieu of being signed may bear the facsimile signature of such officers. Bonds shall be sold in such manner as the board of library trustees deems for the best interests of the district)) issued and sold in accordance with chapter 39.46 RCW. All such bonds shall be legal securities for any bank or trust company for deposit with the state treasurer or any county or city treasurer as security for deposits in lieu of a surety bond under any law relating to deposits of public moneys.~~

~~((?) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW:))~~

Sec. 10. Section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 167, Laws of 1983 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 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) For any or all of these and other capital 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, including bearer bonds or registered bonds as provided in RCW 39.46.030, for such terms, bear such rate or rates of 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 such bonds may also)~~) be issued and sold in accordance with chapter 39.46 RCW.

Sec. 11. Section 28A.51.020, chapter 223, Laws of 1969 ex. sess. as amended by section 9, chapter 42, Laws of 1970 ex. sess. and RCW 28A.51.020 are each amended to read as follows:

The question whether the bonds shall be issued, as provided in RCW 28A.51.010, shall be determined at an election to be held (~~(in the manner prescribed by law for holding annual school elections. Notice therefor to be given in such manner as provided in RCW 29.27.000 shall state the amount of bonds proposed to be issued, time they are to run, and the purpose for which the money is to be used. The ballots must contain the words "Bonds, yes," or "Bonds, no;"~~) pursuant to section 3 of this 1984 act, if a majority of the votes cast at such election (~~(are "Bonds, yes;"~~) favor the issuance of such bonds, the board of directors must issue such bonds: PROVIDED, That if the amount of bonds to be issued, together with any outstanding indebtedness of the district that only needs a simple majority voter approval, exceeds three-eighths of one percent of the value of the taxable property in said district, as the term 'value of the taxable property' is defined in RCW 39.36.015, then three-fifths of the votes cast at such election must be (~~("Bonds, yes;"~~) in favor of the issuance of such bonds, before the board of directors is authorized to issue said bonds. (~~(Except as otherwise provided for facsimile signatures on bonds and coupons in chapter 39.44 RCW, or as otherwise in this chapter provided, bonds with the coupons shall be signed in the corporate name of the district by the president or chairman of the board of directors thereof and attested by the school district superintendent as secretary of the board. In districts of the first class the corporate seal of the said district shall be affixed to each bond by the school district superintendent thereof.)~~)

Sec. 12. Section 28A.51.070, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 167, Laws of 1983 and RCW 28A.51.070 are each amended to read as follows:

~~((1) At the time named in said notice it shall be the duty of said board of directors to meet with the county treasurer at his office, and with him open said bids, and sell said bonds or any portion thereof to the person or persons making the most advantageous offer; PROVIDED, That said bids and the acceptance or rejection thereof and the sale of such bonds shall be in conformance with the provisions of RCW 39.44.030. Upon the sale of the bonds, the board of directors, as soon thereafter as practicable, shall deliver the bonds, properly executed, to the county treasurer, taking his receipt therefor. The county treasurer, upon payment of the price agreed upon, shall deliver the same to the person or persons to whom sold, and place the moneys arising from such sale to the credit of the general school fund of the district; PROVIDED, That where) When the bonds have been sold ((for the purchase of a schoolhouse site or sites or building one or more schoolhouses and providing the same with all necessary furniture, apparatus or equipment, or for any or all of these purposes, he)), the county treasurer shall place the money derived from such sale to the credit of the ((building)) capital projects fund of the district, and such fund is hereby created. ((The board of directors may provide that costs incurred relating to the sale and issuance of the bonds shall be paid from the bond proceeds. If the board of directors and the person or persons to whom the bonds are sold agree that the delivery of said bonds shall be in installments, the county treasurer shall hold said bonds, and deliver to purchasers only on written order of the board of directors to deliver at specified times the bonds designated by number and series.~~)

~~(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter 39.46 RCW.)~~

Sec. 13. Section 28A.51.180, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 167, Laws of 1983 and RCW 28A.51.180 are each amended to read as follows:

~~((1)) Whenever any bonds lawfully issued by any school district under the provisions of this chapter shall reach maturity and shall remain unpaid, or may be paid under any option provided in the bonds, the board of directors thereof shall have the power without any vote of the school district to fund the same by issuing bonds conformable to the requirements of this chapter ((and sell the same at not less than their par value)) and use the proceeds exclusively for the purpose of retiring and canceling such outstanding bonds as aforesaid, or the said directors in their discretion may exchange such refunding bonds par for par for such outstanding bonds((-PROVIDED, That such bonds shall be issued in such denominations as the school district issuing such bonds in its discretion shall determine and in accordance with RCW 39.44.011, shall be redeemable within the time provided by RCW 39.44.070, shall be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030, and shall draw a rate of interest not to exceed that allowed by law and as the school district issuing such bonds so designates.~~)

~~(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.)~~

Sec. 14. Section 28A.52.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 28, chapter 167, Laws of 1983 and RCW 28A.52.050 are each amended to read as follows:

~~((+)) If the indebtedness of such school district is validated and ratified, as provided in this chapter, by three-fifths of the voters voting at such election, the board of directors of such school district, without any further vote, may borrow money and issue and sell negotiable bonds therefor in accordance with ~~(the provisions of chapter 39.44 RCW. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.~~~~

~~Except as provided in RCW 39.44.100 for facsimile signatures, in all school districts of the second class, said bonds must be signed by the board of directors and countersigned by the school district superintendent and in school districts of the first class said bonds, and any coupons, must be signed in the corporate name of the district by the president of the board of directors thereof.~~

~~(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with) chapter 39.46 RCW.~~

Sec. 15. Section 35.37.040, chapter 7, Laws of 1965 as amended by section 12, chapter 42, Laws of 1970 ex. sess. and RCW 35.37.040 are each amended to read as follows:

Every city and town may, without a vote of the people, contract indebtedness or borrow money for strictly municipal purposes on the credit of the city or town and issue negotiable bonds therefor in an amount which when added to its existing nonvoter approved indebtedness will not exceed the amount of indebtedness authorized by chapter 39.36 RCW, as now or hereafter amended, to be incurred without the assent of the voters.

When bonds are issued under this section the ordinance providing therefor shall contain a statement showing the value of the taxable property in the city or town, as the term 'value of the taxable property' is defined in RCW 39.36.015, together with the amount of the existing nonvoter approved and total indebtedness of the city or town, which indebtedness shall include the amount for which such bonds are issued. ~~((Passage of such ordinance shall require the votes of at least four councilmen:))~~

Sec. 16. Section 35.37.050, chapter 7, Laws of 1965 and RCW 35.37.050 are each amended to read as follows:

Every city and town may, ~~((with a vote of the people))~~ when authorized by the voters of the city or town pursuant to Article VIII, section 6 of the state Constitution at an election held pursuant to section 3 of this 1984 act, contract indebtedness or borrow money for strictly municipal purposes on the credit of the city or town and issue negotiable bonds therefor in an amount which when added to its existing indebtedness will exceed the amount of indebtedness authorized by chapter 39.36 RCW, as now or hereafter amended, to be incurred without the assent of the voters but will not exceed the amounts of indebtedness authorized by chapter 39.36 RCW, as now or hereafter amended, to be incurred with the assent of the voters. ~~((The amount of the indebtedness desired to be created or the amount of the money desired to be borrowed shall be stated in an ordinance passed by the council and referred to the voters of the city or town for their ratification or rejection at a special election of which fifteen days notice shall be given in the newspaper which is doing the city or town printing by publication in every issue of that paper during that period:))~~

Sec. 17. Section 35.37.090, chapter 7, Laws of 1965 as amended by section 36, chapter 167, Laws of 1983 and RCW 35.37.090 are each amended to read as follows:

~~((+)) All general indebtedness bonds ~~((and any coupons shall be printed, engraved, or lithographed on good bond paper, signed by the mayor and attested by the clerk under the seal of the city or town. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.~~~~

~~(2) Notwithstanding subsection (1) of this section, such bonds may)) shall be issued and sold in accordance with chapter 39.46 RCW.~~

Sec. 18. Section 1, chapter 11, Laws of 1970 ex. sess. as last amended by section 47, chapter 167, Laws of 1983 and RCW 35.58.450 are each amended to read as follows:

~~((+)) Notwithstanding the limitations of chapter 39.36 RCW and any other statutory limitations otherwise applicable and limiting municipal debt, a metropolitan municipal corporation shall have the power to ~~((authorize)) contract indebtedness and ((to)) issue general obligation bonds and to pledge the full faith and credit of the corporation to the payment thereof, for any authorized capital purpose of the metropolitan municipal corporation~~ ~~((: PROVIDED: That a proposition authorizing the issuance of any such bonds to be issued in excess of three-fourths of one percent of the value of the taxable property therein, as the term 'value of the taxable property' is defined in RCW 39.36.015, shall have been submitted to the electors of the metropolitan municipal corporation at a special election and assented to)), not to exceed an amount, together with any outstanding nonvoter approved general indebtedness, equal to three-fourths of one percent of the value of the taxable property within the metropolitan municipal corporation, as the term 'value of the taxable property' is defined in RCW 39.36.015. A metropolitan municipal corporation may additionally contract indebtedness and issue general obligation bonds, for any authorized capital purpose of a metropolitan municipal corporation, together~~~~

with any other outstanding general indebtedness, not to exceed an amount equal to five percent of the value of the taxable property within the corporation, as the term 'value of the taxable property' is defined in RCW 39.36.015, when a proposition authorizing the indebtedness has been approved by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Such general obligation bonds may be authorized in any total amount in one or more propositions and the amount of such authorization may exceed the amount of bonds which could then lawfully be issued. Such bonds may be issued in one or more series from time to time out of such authorization ((but at no time shall the total general indebtedness of the metropolitan municipal corporation exceed five percent of the value of the taxable property therein, as the term 'value of the taxable property' is defined in RCW 39.36.015)). The elections shall be held pursuant to section 3 of this 1984 act.

Whenever the voters of a metropolitan municipal corporation have, pursuant to RCW 84.52.056, approved excess property tax levies to retire such bond issues, both the principal of and interest on such general obligation bonds may be made payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the constitutional and/or statutory tax limit ((or)). The principal of and interest on any general obligation bond may be made payable from any other taxes or any special assessments which the metropolitan municipal corporation may be authorized to levy or from any otherwise unpledged revenue which may be derived from the ownership or operation of properties or facilities incident to the performance of the authorized function for which such bonds are issued or may be made payable from any combination of the foregoing sources. The metropolitan council may include in the principal amount of such bond issue an amount for engineering, architectural, planning, financial, legal, urban design and other services incident to acquisition or construction solely for authorized capital purposes and may include an amount to establish a guaranty fund for revenue bonds issued solely for capital purposes.

General obligation bonds shall be issued and sold by the metropolitan council as provided in ((RCW 39.44.030)) chapter 39.46 RCW and shall mature in not to exceed forty years from the date of issue. ((The various annual maturities shall commence not more than five years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

Such bonds shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature and the seal of the metropolitan corporation shall be impressed or imprinted thereon. Any interest coupons which may be attached shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities and towns at a price not less than par and accrued interest.

((2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.))

Sec. 19. Section 6, chapter 110, Laws of 1967 as amended by section 49, chapter 167, Laws of 1983 and RCW 35.59.060 are each amended to read as follows:

((1)) To carry out the purposes of this chapter any municipality shall have the power to appropriate and/or expend any public moneys available therefor and to issue general obligation bonds within the limitations now or hereafter prescribed by the Constitution and laws of this state. Such general obligation bonds shall be ((authorized, executed,)) issued and ((made payable,)) sold as provided in ((Title 39)) chapter 39.46 RCW. ((Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.)) If the governing body of any municipality shall submit a proposition for the approval of general obligation bonds at any general or special election and shall declare in the ordinance or resolution setting forth such proposition that its purpose is the creation of a single integrated multi-purpose community center or a city-wide or county-wide system of such centers, all pursuant to this chapter, and that the creation of such center or system of centers constitutes a single purpose, such declaration shall be presumed to be correct and, upon the issuance of the bonds, such presumption shall become conclusive. ((The governing body of the issuing municipality may include in the principal amount of such bond issue an amount for engineering, architectural, planning, financial, legal, and other services incident to the acquisition or construction of multi-purpose community centers.

((2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW)) Any such election shall be held pursuant to section 3 of this 1984 act.

Sec. 20. Section 35.60.040, chapter 7, Laws of 1965 as amended by section 51, chapter 167, Laws of 1983 and RCW 35.60.040 are each amended to read as follows:

((1)) Any bonds to be issued by any municipality pursuant to the provisions of RCW 35.60.030, shall be authorized and issued in the manner and within the limitations prescribed

by the Constitution and laws of this state or charter of the municipality for the issuance and authorization of bonds thereof for public purposes generally and secured by a general tax levy as provided by law. ~~((PROVIDED: That the provisions of RCW 39.44.070 and 36.67.040 shall not apply to such bond issues. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.~~

~~(2) Notwithstanding subsection (1) of this section,))~~ Such bonds ~~((may))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 21. Section 35.61.100, chapter 7, Laws of 1965 as last amended by section 1, chapter 61, Laws of 1983 and RCW 35.61.100 are each amended to read as follows:

Every metropolitan park district through its board of commissioners may contract indebtedness and evidence such indebtedness by the issuance and sale of warrants, short-term obligations as provided by chapter 39.50 RCW, or general obligation bonds, for park, boulevard, aviation landings, playgrounds, and parkway purposes, and the extension and maintenance thereof, not exceeding, together with all other outstanding nonvoter approved general indebtedness, three-fortieths of one percent of the value of the taxable property in such metropolitan park district, as the term 'value of the taxable property' is defined in RCW 39.36.015. General obligation bonds shall not be issued with a maximum term in excess of twenty years. Such general obligation bonds shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 22. Section 35.67.070, chapter 7, Laws of 1965 and RCW 35.67.070 are each amended to read as follows:

If the state board of health has ordered the adopting of and construction and operation of such system of sewerage or system for collection and disposal of refuse or the proposition has been adopted by vote of the people, who have authorized a general indebtedness therefor, general city or town bonds may be issued. The bonds shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 23. Section 35.92.080, chapter 7, Laws of 1965 as last amended by section 67, chapter 167, Laws of 1983 and RCW 35.92.080 are each amended to read as follows:

~~((+))~~ When the voters have adopted a proposition for any public utility and have authorized a general indebtedness, general city or town bonds may be issued. The bonds shall be ~~((registered bonds as provided in RCW 39.46.030 or bearer bonds; numbered from one up consecutively; bear the date of their issue; and bear interest at a rate or rates as authorized by the city or town council; payable semiannually, and the principal and interest shall be made payable at such place as may be designated. Except as otherwise provided in RCW 39.44.100, the bonds and any coupon shall be signed by the mayor and attested by the clerk under the seal of the city or town))~~ issued and sold in accordance with chapter 39.46 RCW.

There shall be levied each year a tax upon the taxable property of the city or town sufficient to pay the interest on and principal of the bonds then due, which taxes shall become due and collectible as other taxes; PROVIDED, That it may pledge to the payment of such principal and interest the revenue of the public utility being acquired, constructed, or improved out of the proceeds of sale of such bonds. Such pledge of revenue shall constitute a binding obligation, according to its terms, to continue the collection of such revenue so long as such bonds or any of them are outstanding, and to the extent that revenues are insufficient to meet the debt service requirements on such bonds, the governing body of the municipality shall provide for the levy of taxes sufficient to meet such deficiency.

~~((The bonds shall be printed and engraved, or lithographed, on good bond paper. The bonds shall be sold in such manner as the corporate authorities shall deem for the best interest of the city or town.~~

~~(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.))~~

Sec. 24. Section 35A.40.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.40.010 are each amended to read as follows:

Municipal accounts and funds, the contracting of indebtedness for municipal purposes and the issuance and payment of bonds therefor, the validation of preexisting obligations by the voters of a consolidated city, debt limitations, elections for authorization of the incurring of indebtedness, and provisions pertaining to the issuance, sale, ~~((payment, form, term, interest,))~~ funding and redemption of general obligation bonds and remedies for nonpayment thereof are governed and controlled by the general law as contained in, but not limited to chapters 35.37, 39.40, ~~((39.44))~~ 39.46, 39.52, 39.56, and 43.80 RCW, and are hereby recognized as applicable to code cities. ~~((As applied to code cities, the vote prescribed by RCW 35.37.040 for passage of an ordinance to contract indebtedness shall be construed to mean a majority of the whole membership of the legislative body.))~~

Sec. 25. Section 6, chapter 175, Laws of 1982 as amended by section 71, chapter 167, Laws of 1983 and RCW 36.58.150 are each amended to read as follows:

(1) A solid waste disposal district shall not have the power to levy an annual levy without voter approval, but it shall have the power to levy a tax, in excess of the one percent limitation, upon the property within the district for a one year period to be used for operating or capital purposes whenever authorized by the electors of the district pursuant to RCW 84.52.052 and Article VII, section 2(a) of the state Constitution.

A solid waste disposal district may issue general obligation bonds for capital purposes only, ~~((not to exceed an amount, together with any outstanding general obligated indebtedness of the district, equal to three-eighths of one percent of the value of the taxable property within the district))~~ subject to the limitations prescribed in RCW 39.36.020(1), and may provide for the retirement of the bonds by voter-approved bond retirement tax levies pursuant to Article VII, section 2(b) of the state Constitution and RCW 84.52.056. Such general obligation bonds ~~((may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

A solid waste disposal district may issue revenue bonds to fund its activities. Such revenue bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

(2) Notwithstanding subsection (1) of this section, such ~~((general obligation bonds or))~~ revenue bonds may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 26. Section 36.62.070, chapter 4, Laws of 1963 as last amended by section 72, chapter 167, Laws of 1983 and RCW 36.62.070 are each amended to read as follows:

~~((1) Should a majority of all the votes cast upon the proposition be in favor of establishing the hospital, the county legislative authority shall proceed to issue bonds of the county not to exceed the amount specified in the proposition, in denominations of not less than one hundred dollars nor more than one thousand dollars, bearing interest at a rate or rates as authorized by the county legislative authority, and payable annually or semiannually;))~~ The bonds issued for such hospital shall ~~((be serial bonds with))~~ not have maturities ~~((not))~~ in excess of twenty years. ~~((Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030;))~~

~~((2) Notwithstanding subsection (1) of this section;))~~ Such bonds ~~((may))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 27. Section 36.67.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 76, Laws of 1971 and RCW 36.67.010 are each amended to read as follows:

A county may contract indebtedness for general county purposes subject to the limitations on indebtedness provided for in RCW 39.36.020(2). Bonds evidencing such indebtedness shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 28. Section 36.67.060, chapter 4, Laws of 1963 as last amended by section 77, chapter 167, Laws of 1983 and RCW 36.67.060 are each amended to read as follows:

Bonds issued under this chapter shall be ~~((serial in form and maturity and interest shall be paid and the principal of the bonds))~~ retired by an annual tax levy ~~((in accordance with the provisions of chapter 39.44 RCW))~~ and by any other moneys lawfully available and pledged therefor ~~((PROVIDED, That such bonds may also be issued in accordance with chapter 39.46 RCW))~~.

Sec. 29. Section 13, chapter 218, Laws of 1963 as last amended by section 83, chapter 167, Laws of 1983 and RCW 36.68.520 are each amended to read as follows:

(1) A park and recreation service area shall not have power to levy an annual authorized levy, but it shall have the power to levy a tax upon the property included within the service area in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.052.

The special voted levy may be either for operating fund or for capital outlay, or for a cumulative reserve fund.

(2) A service area may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding nonvoter approved general obligation indebtedness, equal to three-eighths of one percent of the value of the taxable property within the district ~~((and may provide for the retirement thereof by levies in excess of dollar rate in accordance with the provisions of Article VII, section 2 of the Constitution and RCW 84.52.056; PROVIDED, That))~~. Such districts additionally may issue general obligation bonds equal to two and one-half percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36.015, when such bonds are approved by the voters of the district at a special election called for the purpose in accordance with the provisions of Article VIII, section 6 of the Constitution. Such bonds ~~((may be in any form, including coupon bonds or registered bonds as provided in RCW 39.46.030;))~~

~~((3) Notwithstanding subsection (2) of this section, such bonds may))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

Bonds may be retired by excess property tax levies when such levies are approved by the voters at a special election in accordance with the provisions of Article VII, section 2 of the Constitution and RCW 84.52.056.

Any elections shall be held as provided in section 3 of this 1984 act.

Sec. 30. Section 36.69.140, chapter 4, Laws of 1963 as last amended by section 84, chapter 167, Laws of 1983 and RCW 36.69.140 are each amended to read as follows:

~~((1))~~ A park and recreation district shall have the power to levy an excess levy upon the property included within the district, in the manner prescribed by Article VII, section 2, of the Constitution and by RCW 84.52.052. Such excess levy may be either for operating funds or for

capital outlay, or for a cumulative reserve fund. A park and recreation district may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding nonvoter approved general obligation indebtedness equal to three-eighths of one percent of the value of the taxable property within such district, as the term 'value of the taxable property' is defined in RCW 39.36.015. A park and recreation district may additionally issue general obligation bonds equal to one and one-fourth percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36.015, when such bonds are approved by three-fifths of the voters of the district at a general or special election called for that purpose and may provide for the retirement thereof by levies in excess of dollar rate limitations in accordance with the provisions of RCW 84.52.056. When authorized by the voters of the district, the district may issue interest bearing warrants payable out of and to the extent of excess levies authorized in the year in which the excess levy was approved. ~~These elections shall be held as provided in section 3 of this 1984 act. Such bonds and warrants (may be in any form, including coupon bonds or coupon warrants, or registered bonds or registered warrants as provided in RCW 39.46.030.~~

~~(2) Notwithstanding subsection (1) of this section, such bonds and warrants may)) shall be issued and sold in accordance with chapter 39.46 RCW.~~

Sec. 31. Section 36.76.090, chapter 4, Laws of 1963 as last amended by section 91, chapter 167, Laws of 1983 and RCW 36.76.090 are each amended to read as follows:

~~((1)) The election ((may)) shall be held ((at such times and in the manner provided for holding general elections in this state, or it may be held as a special election on one of the special election dates provided in RCW 29.13.016 as the county legislative authority may designate. The ballots used must contain the words, "Bonds, Yes," and "Bonds, No") as provided in section 3 of this 1984 act. If three-fifths of the legal ballots cast on the question of issuing bonds for the improvement contemplated in RCW 36.76.080 are in favor of ((bonds)) the bond issue, the county legislative authority must issue ((negotiable bonds in due and legal form, and negotiate them in such manner as they may deem to be the best advantage of the county, at not less than par value. The bonds authorized by this section shall be issued in the name of the county, in denominations of not less than one hundred nor more than one thousand dollars; they shall not have a maximum term in excess of twenty years, and shall bear interest at a rate or rates as authorized by the county legislative authority, payable semiannually. The bonds may be in any form, including bearer bonds or may be registered as provided in RCW 39.46.030. They may be made payable in any city of the United States containing a national bank. They shall bear the signature of the chairman of the county legislative authority, and be countersigned by the county auditor of the county with the seal of the county thereunto attached, and any interest coupons shall be signed by said chairman and said county auditor. The county seal need not be affixed to any coupons. Any coupon must show the number of the bond to which it belongs. The bonds and any coupons shall be printed, engraved or lithographed on good bond paper.~~

~~(2) Notwithstanding subsection (1) of this section;)) the general obligation bonds. Such bonds ((may)) shall be issued and sold in accordance with chapter 39.46 RCW.~~

Sec. 32. Section 36.76.100, chapter 4, Laws of 1963 and RCW 36.76.100 are each amended to read as follows:

~~((The board must give notice in some newspaper having a general circulation in the county for a period of at least four weeks next preceding the date of the election, setting forth the proposition as to amount and duration of the bonds to be issued, and the rate of interest thereon which is not to be exceeded, and stating the)) The notice of this election shall state which road or roads are to be built or improved. The notice need not describe the road or roads with particularity, but it shall be sufficient either to describe them by termini and with a general statement as to their course, or to use any other appropriate language sufficient to show the purpose intended to be accomplished. The ((commissioners)) county legislative authority may, at ((their)) its option, give such other or further notice as ((they)) it may deem advisable. ((When the bonds are issued they may be made to bear the rate of interest stated in the notice or any less rate:))~~

Sec. 33. Section 36.76.120, chapter 4, Laws of 1963 as amended by section 92, chapter 167, Laws of 1983 and RCW 36.76.120 are each amended to read as follows:

The county legislative authority must ascertain and levy annually a tax sufficient to pay the interest on all such bonds whenever it becomes due and to meet the annual maturities of principal ((as required by Title 39 RCW. All taxes levied either for interest or principal shall be a lien upon all property within the county and must be collected in the same manner as other taxes are collected)). The county treasurer must pay out of any money accumulated from the taxes levied to pay the interest as aforesaid, the interest upon all such bonds when it becomes due as provided on the bond or, if coupons are attached to a bond, upon presentation at the place of payment of the proper coupon. Any interest payments or coupons so paid must be reported to the county legislative authority at its first meeting thereafter. Whenever ((any coupons are)) interest is payable at any place other than the city in which the county treasurer keeps his office, the county treasurer shall seasonably remit to the state fiscal agent the amount of money required for the payment of any ((coupons)) interest which ((are)) is about to fall due.

When any such bonds or any (~~coupons are~~) interest is paid, the county treasurer shall suitably and indelibly cancel them.

Sec. 34. Section 4, chapter 109, Laws of 1967 as last amended by section 99, chapter 167, Laws of 1983 and RCW 36.89.040 are each amended to read as follows:

~~((+)) To carry out the purposes of this chapter counties shall have the power to issue general obligation bonds within the limitations now or hereafter prescribed by the Constitution and laws of this state. Such general obligation bonds shall be (~~authorized~~) issued and (~~made payable~~) sold as provided in (~~Title 39~~) chapter 39.46 RCW. (~~The county legislative authority shall determine the manner of execution of such bonds and may provide in the principal amount of such bond issue for costs of engineering, architectural, planning, financial, legal and other services incident to the purpose of such bonds. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.~~)~~

The question of issuance of bonds for any undertaking which relates to a number of different highways or parts thereof, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein, may be submitted to the voters of the county as a single proposition. If the county legislative authority in submitting a proposition relating to different highways or parts thereof declare that such proposition has for its object the furtherance and accomplishment of the construction of a system of connected public highways within such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different open spaces, park, recreation and community facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the county legislative authority in submitting a proposition relating to different open spaces, park, recreation and community facilities declare that such proposition has for its object the furtherance, accomplishment or preservation of an open space, park, recreation and community facilities system available to, and for the benefit of, all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different public health and safety facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the county legislative authority in submitting a proposition relating to different public health and safety facilities declare that such proposition has for its object the furtherance or accomplishment of a system of public health and safety facilities for the benefit of all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different storm water control facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the county legislative authority in submitting a proposition relating to different storm water control facilities (~~declare(s)~~) declares that such proposition has for its object the furtherance, accomplishment or preservation of a storm water control facilities system for the benefit of all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

~~((2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.))~~

Elections shall be held as provided in section 3 of this 1984 act.

Sec. 35. Section 20, chapter 72, Laws of 1967 as last amended by section 101, chapter 167, Laws of 1983 and RCW 36.94.200 are each amended to read as follows:

~~((+)) The legislative authority of any county is hereby authorized for the purpose of carrying out the lawful powers granted by this chapter to contract indebtedness and to issue and sell general obligation bonds pursuant to and in the manner provided for general county bonds in chapters 36.67 and 39.46 RCW and other applicable statutes; and to issue revenue bonds pursuant to and in the manner provided for revenue bonds in chapter 36.67 RCW and other applicable statutes. The county legislative authority may also issue local improvement district bonds in the manner provided for cities and towns. (~~These general obligation bonds, revenue bonds, and local improvement district bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.~~)~~

~~(2) Notwithstanding subsection (1) of this section, any of these bonds may be issued and sold in accordance with chapter 39.46 RCW.))~~

Sec. 36. Section 1, chapter 170, Laws of 1895 as amended by section 1, chapter 145, Laws of 1917 and RCW 39.52.010 are each amended to read as follows:

Any county, city or town in the state of Washington which now has or may hereafter have an outstanding indebtedness evidenced by warrants or bonds, including warrants or bonds of any city or town which are special fund obligations of and constitute a lien upon the water-works or other public utilities of such city or town, and are payable only from the income or funds derived or to be derived therefrom, whether issued originally within the limitations of the Constitution of this state, or of any law thereof, or whether such outstanding indebtedness has been or may hereafter be validated or legalized in the manner prescribed by law, may, by its corporate authorities, provide by ordinance or resolution for the issuance of funding bonds with which to take up and cancel such outstanding indebtedness in the manner hereinafter described, said bonds to constitute general obligations of such county, city or town: PROVIDED, That special fund obligations payable only from the income funds of the public utility, shall not be refunded by the issuance of general municipal bonds(~~(-however))~~ where voter approval is required before general municipal bonds may be issued for such public utility purposes, unless such general municipal bonds shall have been previously authorized ((at an election held in the manner prescribed by section 8006 of Remington & Ballinger's Annotated Codes and Statutes of Washington for the issuance of general municipal utility bonds. The notice of said election, in describing said bonds or warrants, need only refer to the bonds or warrants sought to be so funded by naming the utility or utilities in aid of which the bonds or warrants were issued and shall state the total amount sought to be so funded: PROVIDED, HOWEVER, That))). Nothing in this chapter shall be so construed as to prevent any such county, city or town from funding its indebtedness as now provided by law.

Sec. 37. Section 2, chapter 170, Laws of 1895 as last amended by section 113, chapter 167, Laws of 1983 and RCW 39.52.020 are each amended to read as follows:

~~((1) Funding bonds authorized to be issued by this chapter shall be in denominations of not less than one hundred dollars, nor more than one thousand dollars, and shall be signed by the following corporate authorities: When issued by a county, the chairman of the county legislative authority, countersigned by the county treasurer and attested by the county auditor, who shall affix his official seal; when issued by a city or town, by its mayor, countersigned by its treasurer and attested by its clerk, who shall affix his official seal. They shall bear interest at a rate or rates as authorized by the corporate authorities, payable semiannually. Such corporate authorities shall, by ordinance or resolution, provide for the manner of issuing and the form of said bonds, including bearer bonds or registered bonds as provided in RCW 39.46.030; and the time or times when the same shall be made payable; but) No bonds issued under this chapter shall be issued for a longer period than twenty years(~~(-and when they shall be made payable at different periods within said twenty years, they shall be divided into series not to exceed twenty in number, but there shall be as many series as there are different times of payment, and all bonds included in each series shall be made payable at the same time. The principal and interest may be made payable at any place in the United States designated by the corporate authorities of such county, city or town. Such bonds shall not be issued to an aggregate amount in excess of the warrants or other outstanding indebtedness proposed to be funded thereby. They may be exchanged at not less than their par value for such warrants or other outstanding indebtedness, or may be sold at not less than their par value, and the proceeds used exclusively for the purpose of retiring and canceling such warrants and interest thereon or other indebtedness: PROVIDED, That))~~. Nothing in this chapter ((contained)) shall be deemed to authorize the issuing of any funding bonds which(~~(-other than that proposed to be funded under the provisions of this chapter, shall))~~ exceeds any constitutional or statutory limitations of indebtedness(~~(-or any indebtedness which might be incurred with the assent of three-fifths of the voters of such county, city or town voting at an election to be held for that purpose:~~~~

~~((2) Notwithstanding subsection (1) of this section;))~~ Such bonds ((may)) shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 38. Section 6, chapter 170, Laws of 1895 and RCW 39.52.050 are each amended to read as follows:

The words 'corporate authorities', used in this chapter, shall be held to mean the county ~~((commissioners, common))~~ legislative authority, or the council or ((other managing body of any county;)) commission of the city or town.

Sec. 39. Section 3, chapter 176, Laws of 1953 as last amended by section 122, chapter 167, Laws of 1983 and RCW 52.16.061 are each amended to read as follows:

~~((1))~~ The board of fire commissioners of the district shall have authority to contract indebtedness and to refund same for any general district purpose, including expenses of maintenance, operation and administration, and the acquisition of firefighting facilities, and evidence the same by the issuance and sale ~~((at par plus accrued interest))~~ of general obligation bonds of the district ~~((in such denominations, in such form, including bearer bonds or registered bonds as provided in RCW 39.46.030, and))~~ payable at such time or times not longer than six years from the issuing date of the bonds(~~(-said date to be specified thereon, as the board shall determine and provide. Such bonds shall pay interest at such rate or rates as~~

authorized by the board, payable semiannually on the first day of January and of July following in each year. PROVIDED, That at the option of district board the aggregate amount of bonds may include a sum sufficient to pay the annual interest thereon for a period not exceeding one year from the issuing date of the bonds and in that event such interest shall be taken from the proceeds of the sale of the bonds and immediately placed in the general obligation fund of the district, for the payment of the interest payments becoming due during the first year of the bonds). Such bonds (~~may also~~) shall be issued and sold in accordance with chapter 39.46 RCW. Such bonds shall not exceed an amount, together with any outstanding nonvoter approved general obligation indebtedness, equal to three-eighths of one percent of the value of the taxable property within the fire protection district, as the term 'value of the taxable property' is defined in RCW 39.36.015.

Sec. 40. Section 3, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 50, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.080 are each amended to read as follows:

Fire protection districts ~~additionally~~ are (~~hereby~~) authorized to incur general indebtedness for capital purposes (~~which shall include replacements of equipment which may be damaged or lost and for the purpose of refunding outstanding coupon warrants issued for capital purposes only~~) and to issue general obligation bonds not to exceed an amount, together with any outstanding general obligation indebtedness, equal to three-fourths of one percent of the value of the taxable property within such district, as the term 'value of the taxable property' is defined in RCW 39.36.015, and to (~~issue general obligation bonds evidencing such indebtedness on the terms and provisions hereinafter set forth, the principal and interest thereof to be payable from annual tax levies to be made in excess of the constitutional and/or statutory tax limitations~~) provide for the retirement thereof by excess property tax levies, when the voters of the district have approved a proposition authorizing such indebtedness and levies by an affirmative vote of three-fifths of those voting on the proposition at such election, at which election the total number of persons voting shall constitute not less than forty percent of the voters in the fire protection district who voted at the last preceding general state election. The maximum term of such bonds may not exceed twenty years. Such bonds shall be issued and sold in accordance with chapter 39.46 RCW. Such elections shall be held as provided in section 3 of this 1984 act.

Sec. 41. Section 12, chapter 65, Laws of 1955 as last amended by section 32, chapter 42, Laws of 1970 ex. sess. and RCW 53.36.030 are each amended to read as follows:

A district may at any time contract indebtedness or borrow money for district purposes and may issue general obligation bonds therefor not exceeding an amount, together with any existing indebtedness of the district not authorized by the voters, of one-fourth of one percent of the value of the taxable property in the district; and, with the assent of three-fifths of the voters voting thereon at a general or special port election called for that purpose, may contract indebtedness or borrow money for district purposes and may issue general obligation bonds therefor provided the total indebtedness of the district at any such time shall not exceed three-fourths of one percent of the value of the taxable property in the district; PROVIDED FURTHER, That port districts having less than two hundred million dollars in value of taxable property and operating a municipal airport may at any time contract indebtedness or borrow money for airport capital improvement purposes and may issue general obligation bonds therefor not exceeding an additional one-eighth of one percent of the value of the taxable property in the district without authorization by the voters; and, with the assent of three-fifths of the voters voting thereon at a general or special port election called for that purpose, may contract indebtedness or borrow money for airport capital improvement purposes and may issue general obligation bonds therefor for an additional three-eighths of one percent provided the total indebtedness of the district for all port purposes at any such time shall not exceed one and one-fourth percent of the value of the taxable property in the district. Any district may issue general district bonds evidencing any indebtedness, payable at any time not exceeding fifty years from the date of the bonds. Such elections shall be held as provided in section 3 of this 1984 act.

The term 'value of the taxable property' shall have the meaning set forth in RCW 39.36.015. Such bonds shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 42. Section 1, chapter 239, Laws of 1947 and RCW 53.44.010 are each amended to read as follows:

The board of commissioners of any port district of the state may fund or refund any of the general bonded indebtedness and/or warrants of the district now or hereafter existing and accrued interest thereon, and may combine various series and/or issues of warrants and/or bonds into a single issue of funding or refunding bonds, by the issuance of general obligation funding or refunding bonds, when the board, by resolution, finds, determines, and declares that such proposed funding or refunding will inure to the benefit and credit of the district and will not result in an increase of the district's indebtedness or in an increase in the rate of interest borne by the indebtedness so funded or refunded. Such funding or refunding may be accomplished by the sale of said funding or refunding bonds or by their exchange for the bonds

and/or warrants to be refunded. General obligation bonds of a port district which do not provide for prior redemption, may also be refunded with the consent of the holders thereof. Such bonds shall be issued in accordance with chapter 39.46 RCW.

Sec. 43. Section 3, chapter 239, Laws of 1947 and RCW 53.44.030 are each amended to read as follows:

Such funding or refunding bonds shall run for a period of not exceeding twenty years from date thereof (~~and shall mature and be payable on the amortization plan prescribed by RCW 39.44.010. PROVIDED: That any such funding or refunding bonds may be issued to mature commencing at the end of the first year after date thereof, and the foregoing amortization plan may be departed from when, in view of other taxation and financial burdens of the district, it is to the advantage of the district and of the owners of the property therein, in the judgment of the board thereof, expressed in a written resolution, to depart from such amortization plan; and the funding or refunding bonds or any part thereof maturing on or after ten years from date thereof may be made redeemable on any interest payment date prior to their dates of fixed maturity, at the option of the district, upon such prior notice thereof as shall be determined by resolution of said board and as expressed upon the face of the bonds thus subjected to the right of prior redemption~~). The board may apply to the payment of the funding or refunding bonds and to the prior redemption thereof any other moneys or funds belonging to the district which are legally available for such purpose.

Sec. 44. Section 8, chapter 390, Laws of 1955 as last amended by section 144, chapter 167, Laws of 1983 and RCW 54.16.070 are each amended to read as follows:

(1) A district may contract indebtedness or borrow money for any corporate purpose on its credit or on the revenues of its public utilities, and to evidence such indebtedness may issue general obligation bonds or revenue obligations (~~the general obligation bonds not to be sold for less than par and accrued interest~~); may issue and sell local utility district bonds of districts created by the commission, and may purchase with surplus funds such local utility district bonds, and may create a guaranty fund to insure prompt payment of all local utility district bonds. The general obligation bonds shall be issued and sold in accordance with chapter 39.46 RCW.

(2) Notwithstanding subsection (1) of this section, such revenue obligations and local utility district bonds may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 45. Section 1, chapter 12, Laws of 1971 as amended by section 146, chapter 167, Laws of 1983 and RCW 54.24.018 are each amended to read as follows:

(1) Whenever the commission shall deem it advisable that the public utility district purchase, purchase and condemn, acquire, or construct any such public utility, or make any additions or betterments thereto, or extensions thereof, the commission shall provide therefor by resolution, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and specify whether general or utility indebtedness is to be incurred, the amount of such indebtedness, the amount of interest and the time in which all general bonds (if any) shall be paid, not to exceed thirty years. In the event the proposed general indebtedness to be incurred will bring the nonvoter approved indebtedness of the public utility district to an amount exceeding three-fourths of one percent of the value of the taxable property of the public utility district, as the term 'value of the taxable property' is defined in RCW 39.36.015, the proposition of incurring such indebtedness and the proposed plan or system shall be submitted to the qualified electors of said public utility district for their (~~assent~~) approval or rejection at the next general election held in such public utility district. Elections shall be held as provided in section 3 of this 1984 act.

Whenever the commission (or a majority of the qualified voters of such public utility district, voting at said election, when it is necessary to submit the same to said voters) shall have adopted a system or plan for any such public utility, as aforesaid, and shall have authorized indebtedness therefor by a three-fifths vote of the qualified voters of such district, voting at said election, general or public utility bonds may be used as hereinafter provided. (~~Said general bonds shall be serial in form and maturity and numbered from one upwards consecutively. The various annual maturities shall commence not later than the tenth year after the date of issue of such bonds. The general bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030. The resolution authorizing the issuance of the bonds shall fix the rate or rates of interest the bonds shall bear and the place and date of the payment of both principal and interest. The bonds shall be signed by the president of the commission, attested by the secretary of the commission, and the seal of the public utility district shall be affixed to each bond but not to any coupons. PROVIDED: HOWEVER, That any coupons, in lieu of being so signed, may have printed thereon facsimiles of the signature of such officers.~~) The principal and interest of such general bonds shall be paid from the revenue of such public utility district after deducting costs of maintenance, operation, and expenses of the public utility district, and any deficit in the payment of principal and interest of said general bonds shall be paid by levying each year a tax upon the taxable property within said district sufficient to pay said interest and principal of said bonds, which tax shall be due and collectible as any other tax. Said bonds shall be issued and sold in (such manner as the commission shall deem for the best interest of the district) accordance with chapter 39.46 RCW.

(2) All bonds and warrants issued under the authority of this chapter shall be legal securities, which may be used by any bank or trust company for deposit with the state treasurer, or any county or city treasurer, as security for deposits, in lieu of a surety bond, under any law relating to deposits of public moneys.

(3) When the commission shall not desire to incur a general indebtedness in the purchase, condemnation and purchase, acquisition, or construction of any such public utility, or addition or betterment thereto, or extension thereof, it shall have the power to create a special fund or funds for the sole purpose of defraying the cost of such public utility, or addition or betterment thereto, or extension thereof, into which special fund or funds it may obligate and bind the district to set aside and pay a fixed proportion of the gross revenues of such public utility, or any fixed amount out of, and not exceeding a fixed proportion of, such revenues, or a fixed amount without regard to any fixed proportion, and to issue and sell revenue bonds or warrants bearing interest at such rate or rates, payable semiannually, executed in such manner, and payable at such times and places as the commission shall determine, but such bonds or warrants and the interest thereon, shall be payable only out of such special fund or funds. In creating any such special fund or funds, the commission shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or part of the revenues previously pledged as a fund for the payment of bonds or warrants, and shall not set aside into such special fund or funds a greater amount or proportion of the revenues and proceeds than, in its judgment, will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenues so previously pledged. Any such bonds or warrants, and interest thereon, issued against any such fund, as herein provided, shall be a valid claim of the owner thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state on its face that it is payable from a special fund, naming such fund and the resolution creating it. Said bonds and warrants shall be sold in such manner as the commission shall deem for the best interests of the district. The commission may provide in any contract for the construction and acquisition of a proposed improvement or utility that payment therefor shall be made only in such bonds or warrants at the par value thereof. In all other respects, the issuance of such utility bonds or warrants and payment therefor shall be governed by the public utility laws for cities and towns. The revenue or utility bonds or warrants may be in any form, including bearer bonds or bearer warrants, or registered bonds or registered warrants as provided in RCW 39.46.030.

(4) Notwithstanding subsection ~~((s (1) through))~~ (3) of this section, any of such revenue bonds and revenue warrants may be issued and sold in accordance with chapter 39.46 RCW. Sec. 46. Section 14, chapter 210, Laws of 1941 as last amended by section 63, chapter 195, Laws of 1973 1st ex. sess. and RCW 56.16.010 are each amended to read as follows:

The sewer commissioners may submit ((at any general or special election.)) to the sewer district voters a ballot proposition ((that said)) authorizing the sewer district to incur a general indebtedness payable from annual tax levies to be made in excess of the constitutional and/or statutory tax limitations for the construction of any part or all of the comprehensive plan for the district. ((if such general indebtedness is to be incurred, the amount of such indebtedness and the terms thereof shall be included in the proposition submitted to the qualified voters as aforesaid, and such proposition, to be effective, shall be adopted and assented to)) Elections shall be held as provided in section 3 of this 1984 act. The proposition authorizing both the bond issue and bond retirement levies must be approved by three-fifths of the qualified voters of the said sewer district voting on said proposition, at ((said election 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)) which election the total number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the sewer district at the last preceding general election. Such bonds shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 47. Section 17, chapter 210, Laws of 1941 as last amended by section 4, chapter 300, Laws of 1977 ex. sess. and RCW 56.16.030 are each amended to read as follows:

In the same manner as herein provided for the adoption of the general comprehensive plan, and after the adoption of the general comprehensive plan, a plan providing for additions and betterments to the general comprehensive plan, or reorganized district may be adopted. Without limiting its generality 'additions and betterments' shall include any necessary change in, amendment of, or addition to the general comprehensive plan. The sewer district may incur a general indebtedness payable from annual tax levies to be made in excess of the constitutional and/or statutory tax limitations for the construction of the additions and betterments in the same way the general indebtedness may be incurred for the construction of the general comprehensive plan as provided in RCW 56.16.010. Upon ratification by the voters of the entire district, of the proposition to incur such indebtedness, the additions and betterments may be carried out by the sewer commissioners to the extent specified or referred to in the proposition to incur such general indebtedness. The sewer district may issue revenue bonds to

pay for the construction of the additions and betterments by resolution of the board of sewer commissioners.

Sec. 48. Section 18, chapter 210, Laws of 1941 as last amended by section 155, chapter 167, Laws of 1983 and RCW 56.16.040 are each amended to read as follows:

((~~th~~)) Whenever any such sewer district shall hereafter adopt a plan for a sewer system as herein provided, or any additions and betterments thereto, or whenever any reorganized sewer district shall hereafter adopt a plan for any additions or betterments thereto, and the qualified voters of any such sewer district or reorganized sewer district shall hereafter authorize both bond retirement property tax levies and a general indebtedness for all the said plan, or any part thereof, or any additions and betterments thereto or for refunding in whole or in part bonds theretofore issued, general obligation bonds for the payment thereof may be issued ~~((as hereinafter provided:~~

The bonds shall be serial in form and maturity and numbered from one up consecutively. The bonds shall bear interest at such rate or rates as authorized by the board of sewer commissioners, payable semiannually from date of said bonds until principal thereof is paid. The various annual maturities shall commence with the second year after the date of issue of the bonds, and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds, be met by an equal annual tax levy for the payment of said bonds and interest. ~~PROVIDED: That only the bond numbered one of any issue shall be of a denomination other than a multiple of one hundred dollars. Such bonds may be of any form, including bearer bonds or registered bonds as provided in RCW 39.46.030).~~

The general obligation bonds shall never be issued to run for a longer period than thirty years from the date of the issue and shall as nearly as practicable be issued for a period which will ~~((be equivalent to))~~ not exceed the life of the improvement to be acquired by the issue of the bonds.

~~((The bonds shall be signed by the presiding officer of the board of sewer commissioners and shall be attested by the secretary of such board under the seal of the sewer district, and any interest coupons shall be signed by the facsimile signature of the presiding officer of the board of sewer commissioners and shall be attested by the facsimile signature of the secretary of such board.~~

~~There shall be levied by the officers or governing body now or hereafter charged by law with the duty of levying taxes in the manner provided by law an annual levy in excess of the constitutional and/or statutory tax limitations sufficient to meet the annual or semiannual payments of principal and interest on the said bonds maturing as herein provided upon all taxable property within such sewer district.~~

~~Said bonds shall be sold in such manner as the sewer commissioners shall deem for the best interest of the sewer district, and at a price not less than par and accrued interest.~~

~~((2) Notwithstanding subsection (1) of this section:))~~ Such bonds ~~((may))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 49. Section 42, chapter 210, Laws of 1941 as last amended by section 34, chapter 42, Laws of 1970 ex. sess. and RCW 56.16.050 are each amended to read as follows:

Each and every sewer district hereafter to be organized pursuant to this title, or reorganized under ~~((this amendment (1945 c 140))~~ chapter 140, Laws of 1945, may contract indebtedness pursuant to the provisions of RCW 56.16.040, but not exceeding in amount, together with existing indebtedness two and one-half percent of the value of the taxable property in said district, as the term 'value of the taxable property' is defined in RCW 39.36.015, whenever three-fifths of the voters voting at said election in such sewer district assent thereto, at ~~((an))~~ which election the total number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast at the last preceding general election. The election ((to)) shall be held ((in said sewer district in the manner provided by this title, which election may either be a special or a general election, and the board of sewer commissioners are hereby authorized and empowered to submit the question of incurring such indebtedness, and issuing negotiable bonds of such sewer district to the qualified voters of such sewer district at any time they may so order)) as provided in section 3 of this 1984 act. All bonds so to be issued shall be subject to the provisions regarding bonds as set out in RCW 56.16.040.

Sec. 50. Section 16, chapter 250, Laws of 1953 as last amended by section 8, chapter 300, Laws of 1977 ex. sess. and RCW 56.16.115 are each amended to read as follows:

The board of sewer commissioners may by resolution, without submitting the matter to the voters of the district, authorize the issuance of refunding general obligation bonds to refund any outstanding general obligation bonds, or any part thereof, at maturity thereof, or before the maturity thereof, if they are subject to call for prior redemption, or if all of the holders thereof consent thereto. The total cost to the district over the life of the refunding bonds shall not exceed the total cost, which the district would have incurred but for such refunding, over the remainder of the life of the bonds being refunded. The provisions of RCW 56.16.040 specifying the ~~((form and maturities))~~ issuance and sale of general obligation bonds and providing for annual tax levies in excess of the constitutional and/or statutory tax limitations shall apply to the refunding general obligation bonds issued under this title.

The board of sewer commissioners may by resolution provide for the issuance of refunding bonds to refund outstanding general obligation bonds and/or revenue bonds, or any part thereof, at maturity thereof, or before maturity thereof, if they are subject to call for prior redemption, or if all of the holders thereof consent thereto. The total cost to the district over the life of said refunding revenue bonds shall not exceed the total cost, which the district would have incurred but for such refunding, over the remainder of the life of the bonds being refunded. Uncollected assessments originally payable into the revenue bond fund of a refunded revenue bond issue shall be paid into the revenue bond fund of the refunding issue. The provisions of RCW 56.16.060 specifying the form and maturities of revenue bonds shall apply to the refunding revenue bonds issued under this title.

Refunding general obligation bonds or refunding revenue bonds may be exchanged for the bonds being refunded or may be sold in such manner as the sewer commissioners shall deem for the best interest of the sewer district.

Sec. 51. Section 1, chapter 31, Laws of 1974 ex. sess. and RCW 57.16.020 are each amended to read as follows:

The commissioners may submit to the voters of the district at any general or special election, a proposition that the district incur a general indebtedness payable from annual tax levies to be made in excess of the constitutional and/or statutory tax limitations for the construction of any part or all of the general comprehensive plan. Elections shall be held as provided in section 3 of this 1984 act. ~~The ((amount of the indebtedness and the terms thereof shall be included in the proposition submitted to the voters, and the)) proposition authorizing both the bond issue and imposition of excess bond retirement levies shall be adopted by three-fifths of the voters voting thereon ((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)), at which election the total number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the water district at the last preceding general election. Such bonds shall not be issued to run for a period longer than twenty years from the date of the issue. Such bonds shall be issued and sold in accordance with chapter 39.46 RCW. When the general comprehensive plan has been adopted the commissioners shall carry it out to the extent specified in the proposition to incur general indebtedness.~~

Sec. 52. Section 9, chapter 18, Laws of 1959 as last amended by section 6, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.040 are each amended to read as follows:

In the same manner as provided for the adoption of the original general comprehensive plan, a plan providing for additions and betterments to the original general comprehensive plan may be adopted. Without limiting its generality 'additions and betterments' shall include any necessary change in, amendment of or addition to the general comprehensive plan.

The district may incur a general indebtedness payable from annual tax levies to be made in excess of the constitutional and/or statutory tax limitations for the construction of the additions and betterments in the same way that general indebtedness may be incurred for the construction of the original general comprehensive plan after submission to the voters of the entire district in the manner the original proposition to incur indebtedness was submitted as provided in RCW 57.16.020. Upon ratification the additions and betterments may be carried out by the commissioners to the extent specified or referred to in the proposition to incur the general indebtedness.

The district may issue revenue bonds to pay for the construction of the additions and the betterments pursuant to resolution of the board of water commissioners.

Sec. 53. Section 11, chapter 114, Laws of 1929 as last amended by section 162, chapter 167, Laws of 1983 and RCW 57.20.010 are each amended to read as follows:

~~((+)) When general district indebtedness payable from annual tax levies to be made in excess of the constitutional and/or statutory tax limitations has been authorized, the district may issue its general obligation bonds in payment thereof. ((The bonds shall be serial in form and maturity and numbered from one up consecutively and shall bear interest at such rate or rates as authorized by the board of water commissioners payable semiannually. The various annual maturities shall commence with the second year after the date of the issue, and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds, be met by an equal annual tax levy for the payment of the bonds and interest. Only the bond numbered one of any issue shall be of a denomination other than a multiple of one hundred dollars. The bonds may be of any form, including bearer bonds and registered bonds as provided in RCW 39.46.036.))~~

The bonds shall not have terms in excess of twenty years and shall as nearly as practicable be issued for a period which will ~~((be equivalent to))~~ not exceed the life of the improvement to be acquired by the issuance of the bonds. The bonds shall be ~~((signed by the president of the board and attested by the secretary, under the seal of the district. Any interest coupons shall be signed by the facsimile signature of the president and attested by the facsimile signature of the secretary))~~ issued and sold in accordance with chapter 39.46 RCW. The election at which the voters are presented with a ballot proposition authorizing both the bond issue and imposition of excess bond retirement levies shall be held as provided in section 3 of this 1984 act.

Whenever the proposition to issue such bonds and impose such excess bond retirement levies has been approved, there shall be levied by the officers or governing body charged with the duty of levying taxes, ((an)) annual ((levy)) levies in excess of the constitutional and/or statutory tax limitations sufficient to meet the annual or semiannual payments of principal and interest on the bonds upon all taxable property within the district.

~~((The bonds shall be sold in such manner as the commissioners deem for the best interest of the district, and at a price not less than par and accrued interest.~~

~~((2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.))~~

Sec. 54. Section 16, chapter 251, Laws of 1953 as last amended by section 163, chapter 167, Laws of 1983 and RCW 57.20.015 are each amended to read as follows:

(1) The board of water commissioners of any water district may by resolution, without submitting the matter to the voters of the district, provide for the issuance of refunding general obligation bonds to refund any outstanding general obligation bonds, or any part thereof, at maturity thereof, or before the maturity thereof if they are subject to call for prior redemption or all of the owners thereof consent thereto.

(2) The total cost to the district over the life of the refunding bonds shall not exceed the total cost to the district which the district would have incurred but for such refunding over the remainder of the life of the bonds to be refunded thereby.

(3) The refunding bonds may be exchanged for the bonds to be refunded thereby, or may be sold in such manner as the board of water commissioners deems to be for the best interest of the district, and the proceeds of such sale used exclusively for the purpose of paying, retiring, and canceling the bonds to be refunded and interest thereon. Such bonds may be of any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

(4) The provisions of RCW 57.20.010, concerning the ~~((form and maturities))~~ issuance and sale of general obligation bonds and providing for annual tax levies in excess of the constitutional and/or statutory tax limitations shall apply to the refunding general obligation bonds issued under this section.

~~((5) Notwithstanding subsections (1) and (4) of this section, such bonds may also be issued and sold in accordance with chapter 39.46 RCW.))~~

Sec. 55. Section 20, chapter 114, Laws of 1929 as amended by section 36, chapter 42, Laws of 1970 ex. sess. and RCW 57.20.120 are each amended to read as follows:

Each and every water district hereafter to be organized pursuant to this ~~((act))~~ title, may contract indebtedness in excess of the amount named in RCW 57.20.110, but not exceeding in amount, together with existing indebtedness, two and one-half percent of the value of the taxable property in said district, as the term 'value of the taxable property' is defined in RCW 39.36.015, whenever three-fifths of the voters voting at said election in such water district assent thereto, at which election the total number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the water district at the last preceding general election, at an election to be held in said water district in the manner provided by this ~~((act, which election may either be a special or a general election, and the board of water commissioners are hereby authorized and empowered to submit the question of incurring such indebtedness, and issuing negotiable bonds of such water district to the qualified voters of such water district at any time they may so order))~~ title and section 3 of this 1984 act: PROVIDED, That all bonds so to be issued shall be subject to the provisions regarding bonds as set out in RCW 57.20.010.

Sec. 56. Section 8, chapter 236, Laws of 1967 and RCW 67.28.150 are each amended to read as follows:

To carry out the purposes of this chapter any municipality shall have the power to issue general obligation bonds within the limitations now or hereafter prescribed by the laws of this state. Such general obligation bonds shall be authorized, executed, issued and made payable as other general obligation bonds of such municipality: PROVIDED, That the governing body of such municipality may provide that such bonds mature in not to exceed forty years from the date of their issue, may provide that such bonds also be made payable from any special taxes provided for in RCW 67.28.180, and may provide that such bonds also be made payable from any otherwise unpledged revenue which may be derived from the ownership or operation of any properties ~~((or to establish a guaranty fund for revenue bonds issued solely for stadium facility capital purposes)).~~

Sec. 57. Section 11, chapter 22, Laws of 1982 1st ex. sess. as amended by section 169, chapter 167, Laws of 1983 and RCW 67.38.110 are each amended to read as follows:

~~((+))~~ 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 nonvoter approved 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 approve a ballot proposition providing for both the bond issuance and imposition of such levies 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. Elections shall be held as provided in section 3 of this 1984 act. General obligation bonds may not be issued with maturities in excess of forty years. Such bonds ~~((may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030:~~

~~(2) Notwithstanding subsection (1) of this section, such bonds may))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 58. Section 11, chapter 6, Laws of 1947 as amended by section 6, chapter 164, Laws of 1967 and RCW 68.16.110 are each amended to read as follows:

Cemetery districts created under this chapter shall be deemed to be municipal corporations within the purview of the Constitution and laws of the state of Washington. They shall constitute bodies corporate and possess all the usual powers of corporations for public purposes. They shall have full authority to carry out the objects of their creation, and to that end are empowered to acquire, hold, lease, manage, occupy and sell real and personal property or any interest therein; to enter into and perform any and all necessary contracts; to appoint and employ necessary officers, agents and employees; to contract indebtedness~~((:)),~~ to borrow money, and to issue general obligation bonds in accordance with chapter 39.46 RCW; to levy and enforce the collection of taxes against the lands within the district, and to do any and all lawful acts to effectuate the purposes of this chapter.

Sec. 59. Section 6, chapter 264, Laws of 1945 as last amended by section 172, chapter 167, Laws of 1983 and RCW 70.44.060 are each amended to read as follows:

All public hospital districts organized under the provisions of this chapter shall have power:

(1) To make a survey of existing hospital and other health care facilities within and without such district.

(2) To construct, condemn and purchase, purchase, acquire, lease, add to, maintain, operate, develop and regulate, sell and convey all lands, property, property rights, equipment, hospital and other health care facilities and systems for the maintenance of hospitals, buildings, structures, and any and all other facilities, and to exercise the right of eminent domain to effectuate the foregoing purposes or for the acquisition and damaging of the same or property of any kind appurtenant thereto, and such right of eminent domain shall be exercised and instituted pursuant to a resolution of the commission and conducted in the same manner and by the same procedure as in or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: PROVIDED, That no public hospital district shall have the right of eminent domain and the power of condemnation against any health care facility.

(3) To lease existing hospital and other health care facilities and equipment and/or other property used in connection therewith, including ambulances, and to pay such rental therefor as the commissioners shall deem proper; to provide hospital and other health care services for residents of said district by facilities located outside the boundaries of said district, by contract or in any other manner said commissioners may deem expedient or necessary under the existing conditions; and said hospital district shall have the power to contract with other communities, corporations, or individuals for the services provided by said hospital district; and they may further receive in said hospitals and other health care facilities and furnish proper and adequate services to all persons not residents of said district at such reasonable and fair compensation as may be considered proper: PROVIDED, That it must at all times make adequate provision for the needs of the district and residents of said district shall have prior rights to the available hospital and other health care facilities of said district, at rates set by the district commissioners.

(4) For the purpose aforesaid, it shall be lawful for any district so organized to take, condemn and purchase, lease, or acquire, any and all property, and property rights, including state and county lands, for any of the purposes aforesaid, and any and all other facilities necessary or convenient, and in connection with the construction, maintenance, and operation of any such hospitals and other health care facilities, subject, however, to the applicable limitations provided in subsection (2) of this section.

(5) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the hospitals thereof, and the revenues of any other facilities or services that the district is or hereafter may be authorized by law to provide, and to issue and sell; (a) Revenue bonds, revenue warrants, or other revenue obligations therefor payable solely out of a special fund or funds into which the district may pledge such amount of the revenues of the hospitals thereof, and the revenues of any other facilities or services that the district is or hereafter may be authorized by law to provide, to pay the same as the commissioners of the district may determine, such revenue bonds, warrants, or other obligations to be issued and sold in the same manner and subject to the same provisions as provided for the issuance of revenue bonds, warrants, or other obligations by cities or towns under the

Municipal Revenue Bond Act, chapter 35.41 RCW, as may hereafter be amended(;;); (b) general obligation bonds therefor in the manner and form as provided in RCW 70.44.110 ((to)) and 70.44.130. ((inclusive.)) as may hereafter be amended(;;); or (c) interest-bearing warrants to be drawn on a fund pending deposit in such fund of money sufficient to redeem such warrants and to be issued and paid in such manner and upon such terms and conditions as the board of commissioners may deem to be in the best interest of the district; and to assign or sell hospital accounts receivable, and accounts receivable for the use of other facilities or services that the district is or hereafter may be authorized by law to provide, for collection with or without recourse. ~~((Any of such bonds, warrants, or other obligations may be in any form, including bearer or registered as provided in RCW 39.46.030. Notwithstanding the provisions of this subsection, such))~~ General obligation bonds shall be issued and sold in accordance with chapter 39.46 RCW. Revenue bonds, revenue warrants, or other revenue obligations may be issued and sold in accordance with chapter 39.46 RCW.

(6) To raise revenue by the levy of an annual tax on all taxable property within such public hospital district not to exceed seventy-five cents per thousand dollars of assessed value or such further amount as has been or shall be authorized by a vote of the people: PROVIDED FURTHER, That the public hospital districts are hereby authorized to levy such a general tax in excess of said seventy-five cents per thousand dollars of assessed value when authorized so to do at a special election conducted in accordance with and subject to all of the requirements of the Constitution and the laws of the state of Washington now in force or hereafter enacted governing the limitation of tax levies. The said board of district commissioners is hereby authorized and empowered to call a special election for the purpose of submitting to the qualified voters of the hospital district a proposition to levy a tax in excess of the seventy-five cents per thousand dollars of assessed value herein specifically authorized. The superintendent shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file the same in the records of the commission on or before the first Monday in September. Notice of the filing of said proposed budget and the date and place of hearing on the same shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in said county. On the first Monday in October the commission shall hold a public hearing on said proposed budget at which any taxpayer may appear and be heard against the whole or any part of the proposed budget. Upon the conclusion of said hearing, the commission shall, by resolution, adopt the budget as finally determined and fix the final amount of expenditures for the ensuing year. Taxes levied by the commission shall be certified to and collected by the proper county officer of the county in which such public hospital district is located in the same manner as is or may be provided by law for the certification and collection of port district taxes. The commission is authorized, prior to the receipt of taxes raised by levy, to borrow money or issue warrants of the district in anticipation of the revenue to be derived by such district from the levy of taxes for the purpose of such district, and such warrants shall be redeemed from the first money available from such taxes when collected, and such warrants shall not exceed the anticipated revenues of one year, and shall bear interest at a rate or rates as authorized by the commission.

(7) To enter into any contract with the United States government or any state, municipality, or other hospital district, or any department of those governing bodies, for carrying out any of the powers authorized by this chapter.

(8) To sue and be sued in any court of competent jurisdiction: PROVIDED, That all suits against the public hospital district shall be brought in the county in which the public hospital district is located.

(9) To pay actual necessary travel expenses and living expenses incurred while in travel status for (a) qualified physicians who are candidates for medical staff positions, and (b) other qualified persons who are candidates for superintendent or other managerial and technical positions, when the district finds that hospitals or other health care facilities owned and operated by it are not adequately staffed and determines that personal interviews with said candidates to be held in the district are necessary or desirable for the adequate staffing of said facilities.

(10) To make contracts, employ superintendents, attorneys, and other technical or professional assistants and all other employees; to make contracts with private or public institutions for employee retirement programs; to print and publish information or literature; and to do all other things necessary to carry out the provisions of this chapter.

Sec. 60. Section 12, chapter 264, Laws of 1945 as last amended by section 3, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.110 are each amended to read as follows:

Whenever the commission deems it advisable that the district acquire or construct a public hospital, or other health care facilities, or make additions or betterments thereto, or extensions thereof, it shall provide therefor by resolution, which shall specify and adopt the plan proposed, ~~((and))~~ declare the estimated cost thereof, and specify the amount of indebtedness ~~((the amount of interest, and the time in which all bonds shall be paid.))~~ to be incurred therefor. General indebtedness may be incurred by the issuance of general obligation bonds or short-term obligations in anticipation of such bonds. General obligation bonds shall mature in not to

exceed thirty years. The incurring of such indebtedness shall be subject to the applicable limitations and requirements provided in section 1, chapter 143, Laws of 1917, as last amended by section 4, chapter 107, Laws of 1967, and RCW 39.36.020, as now or hereafter amended. ~~((If a proposition to incur any such indebtedness is to be submitted to the electors of the district it may be submitted at any general election or a special election called for that purpose pursuant to the applicable election laws))~~ Such general obligation bonds shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 61. Section 14, chapter 264, Laws of 1945 as amended by section 3, chapter 218, Laws of 1971 ex. sess. and RCW 70.44.130 are each amended to read as follows:

The principal and interest of such general bonds shall be paid by levying each year a tax upon the taxable property within the district sufficient, together with other revenues of the district available for such purpose, to pay said interest and principal of said bonds, which tax shall be due and collectible as any other tax. ~~((Said bonds shall be sold in such manner as the commission shall deem for the best interests of the district))~~ All bonds and warrants issued under the authority of this chapter shall be legal securities, which may be used by any bank or trust company for deposit with the state treasurer, or any county or city treasurer, as security for deposits, in lieu of a surety bond, under any law relating to deposits of public moneys.

Sec. 62. Section 17, chapter 153, Laws of 1961 as amended by section 211, chapter 167, Laws of 1983 and by section 21, chapter 315, Laws of 1983 and RCW 86.15.170 are each reenacted and amended to read as follows:

The supervisors may authorize the issuance of general obligation bonds to finance any flood control improvement or storm water control improvement and provide for the retirement of the bonds with ad valorem property tax levies. The general obligation bonds may be issued and the bond retirement levies imposed only when ~~((authorized by))~~ the voters of the flood control zone district approve a ballot proposition authorizing both the bond issuance and imposition of the excess bond retirement levies pursuant to Article VIII, section 6 and Article VII, section 2(b) of the state Constitution and RCW 84.52.056. Elections shall be held as provided in section 3 of this 1984 act. The bonds shall be issued on behalf of the zone or participating zones and be approved by the voters of the zone or participating zones when the improvement has by the resolution, provided in RCW 86.15.110, been found to be of benefit to a zone or participating zones. The bonds may not exceed an amount, together with any outstanding general obligation indebtedness, equal to three-fourths of one percent of the value of taxable property within the zone or participating zones, as the term 'value of the taxable property' is defined in RCW 39.36.015. The bonds ~~((may be in any form, including bearer bonds or registered bonds))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 63. Section 134, chapter 254, Laws of 1927 as amended by section 38, chapter 42, Laws of 1970 ex. sess. and RCW 89.30.400 are each amended to read as follows:

Reclamation districts created under the provisions of this chapter are hereby authorized and empowered to contract indebtedness for district purposes in any manner, when they deem it advisable, not exceeding an amount, together with the existing nonvoter approved indebtedness of such district, of three-fourths of one percent of the value of the taxable property in such district, as the term 'value of the taxable property' is defined in RCW 39.36.015.

Sec. 64. Section 135, chapter 254, Laws of 1927 as amended by section 39, chapter 42, Laws of 1970 ex. sess. and RCW 89.30.403 are each amended to read as follows:

Such reclamation districts may contract indebtedness for strictly district purposes in excess of the amount specified in the preceding section, but not exceeding in amount, together with existing indebtedness, two and one-half percent of the value of the taxable property, as the term 'value of the taxable property' is defined in RCW 39.36.015, whenever three-fifths of the voters therein voting at an election held for that purpose assent thereto. Elections shall be held as provided in section 3 of this 1984 act.

Sec. 65. Section 138, chapter 254, Laws of 1927 as amended by section 250, chapter 167, Laws of 1983 and RCW 89.30.412 are each amended to read as follows:

The reclamation district board shall have authority to evidence district indebtedness by the issuance and sale of negotiable general obligation bonds of the district. Such bonds ~~((may))~~ shall be issued and sold in accordance with chapter 39.46 RCW.

NEW SECTION. Sec. 66. There is added to chapter 35.45 RCW a new section to read as follows:

The legislative authority of any city or town may issue and sell bonds to refund outstanding local improvement district or consolidated local improvement district bonds issued after the effective date of this act on the earliest date such outstanding bonds may be redeemed following the date of issuance of such refunding bonds. Such refunding shall be subject to the following:

(1) The refunding shall result in a net interest cost savings after paying the costs and expenses of the refunding, and the principal amount of the refunding bonds may not exceed the principal balance of the assessment roll or rolls pledged to pay the bonds being refunded at the time of the refunding.

(2) The refunding bonds shall be paid from the same local improvement fund or bond redemption fund as the bonds being refunded.

(3) The costs and expenses of the refunding shall be paid from the proceeds of the refunding bonds, or the same local improvement district fund or bond redemption fund for the bonds being refunded, except the city or town may advance such costs and expenses to such fund pending the receipt of assessment payments available to reimburse such advances.

(4) The last maturity of the refunding bonds shall be no later than one year after the last maturity of bonds being refunded.

(5) The refunding bonds may be exchanged for the bonds being refunded or may be sold in the same manner permitted at the time of sale for local improvement district bonds.

(6) All other provisions of law applicable to the refunded bonds shall apply to the refunding bonds.

NEW SECTION. Sec. 67. There is added to chapter 36.88 RCW a new section to read as follows:

The legislative authority of any county may issue and sell bonds to refund outstanding road improvement district or consolidated road improvement district bonds issued after the effective date of this act on the earliest date such outstanding bonds may be redeemed following the date of issuance of such refunding bonds. Such refunding shall be subject to the following:

(1) The refunding shall result in a net interest cost savings after paying the costs and expenses of the refunding, and the principal amount of the refunding bonds may not exceed the principal balance of the assessment roll or rolls pledged to pay the bonds being refunded at the time of the refunding.

(2) The refunding bonds shall be paid from the same local improvement fund or bond redemption fund as the bonds being refunded.

(3) The costs and expenses of the refunding shall be paid from the proceeds of the refunding bonds, or the same road improvement district fund or bond redemption fund for the bonds being refunded, except the county may advance such costs and expenses to such fund pending the receipt of assessment payments available to reimburse such advances.

(4) The last maturity of refunding bonds shall be no later than one year after the last maturity of bonds being refunded.

(5) The refunding bonds may be exchanged for the bonds being refunded or may be sold in the same manner permitted at the time of sale for road improvement district bonds.

(6) All other provisions of law applicable to the refunded bonds shall apply to the refunding bonds.

Sec. 68. Section 2, chapter 138, Laws of 1965 ex. sess. as amended by section 1, chapter 25, Laws of 1973 1st ex. sess. and RCW 39.53.010 are each amended to read as follows:

Except where the context otherwise requires, the terms defined in this section shall for all purposes have the meanings herein specified:

(1) 'Governing body' means the council, commission, board of commissioners, board of directors, board of trustees, board of regents, or other legislative body of the public body designated herein in which body the legislative powers of the public body are vested: PROVIDED, That with respect to the state it shall mean the state finance committee.

(2) 'Public body' means the state of Washington, its agencies, institutions, political subdivisions, and municipal and quasi municipal corporations now or hereafter existing under the laws of the state of Washington.

(3) 'Bond' means any revenue bond or general obligation bond.

(4) 'Revenue bond' means any bond, note, warrant, certificate of indebtedness, or other obligation for the payment of money issued by a public body or any predecessor of any public body and which is payable from designated revenues, special assessments, or a special fund but excluding any obligation constituting an indebtedness within the meaning of the constitutional debt limitation (~~and any obligation payable solely from special assessments or special assessments and a guaranty fund~~).

(5) 'General obligation bond' means any bond, note, warrant, certificate of indebtedness, or other obligation of a public body which constitutes an indebtedness within the meaning of the constitutional debt limitation.

(6) 'Advance refunding bonds' means bonds issued for the purpose of refunding bonds first subject to redemption or maturing one year or more from the date of the advance refunding bonds.

(7) 'Issuer' means the public body issuing any bond or bonds.

(8) 'Ordinance' means an ordinance of a city or town or resolution or other instrument by which the governing body of the public body, exercising any power hereunder takes formal action and adopts legislative provisions and matters of some permanency.

(9) 'Government obligations' means any of the following: (a) Direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America and bank certificates of deposit secured by such obligations; (b) bonds, debentures, notes, participation certificates, or other obligations issued by the banks for cooperatives, the federal intermediate credit bank, the federal home loan bank system, the export-import bank of the United States, federal land banks, or the federal national mortgage association; (c) public housing bonds and project notes fully secured by contracts with the United

States; and (d) obligations of financial institutions insured by the federal deposit insurance corporation or the federal savings and loan insurance corporation, to the extent insured or to the extent guaranteed as permitted under any other provision of state law.

(10) Words used herein importing singular or plural number may be construed so that one number includes both.

NEW SECTION. Sec. 69. There is added to chapter 39.53 RCW a new section to read as follows:

Bonds payable solely from special assessments or special assessments and a guaranty fund issued on or prior to the effective date of this act shall not be subject to refunding under this chapter.

NEW SECTION. Sec. 70. The following acts or parts of acts are each repealed:

(1) Section 28A.51.030, chapter 223, Laws of 1969 ex. sess., section 22, chapter 167, Laws of 1983 and RCW 28A.51.030;

(2) Section 28A.51.055, chapter 223, Laws of 1969 ex. sess., section 23, chapter 167, Laws of 1983 and RCW 28A.51.055;

(3) Section 28A.51.056, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.056;

(4) Section 28A.51.057, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.057;

(5) Section 28A.51.058, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.058;

(6) Section 28A.51.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.210;

(7) Section 28A.52.055, chapter 223, Laws of 1969 ex. sess., section 29, chapter 167, Laws of 1983 and RCW 28A.52.055;

(8) Section 35.37.060, chapter 7, Laws of 1965 and RCW 35.37.060;

(9) Section 35.37.070, chapter 7, Laws of 1965 and RCW 35.37.070;

(10) Section 35.37.100, chapter 7, Laws of 1965, section 37, chapter 167, Laws of 1983 and RCW 35.37.100;

(11) Section 35.40.010, chapter 7, Laws of 1965 and RCW 35.40.010;

(12) Section 35.40.020, chapter 7, Laws of 1965 and RCW 35.40.020;

(13) Section 35.40.040, chapter 7, Laws of 1965 and RCW 35.40.040;

(14) Section 35.40.050, chapter 7, Laws of 1965 and RCW 35.40.050;

(15) Section 35.61.160, chapter 7, Laws of 1965, section 2, chapter 61, Laws of 1983, section 53, chapter 167, Laws of 1983 and RCW 35.61.160;

(16) Section 35.61.170, chapter 7, Laws of 1965, section 19, chapter 232, Laws of 1969 ex. sess., section 41, chapter 56, Laws of 1970 ex. sess., section 54, chapter 167, Laws of 1983 and RCW 35.61.170;

(17) Section 35.67.080, chapter 7, Laws of 1965, section 20, chapter 232, Laws of 1969 ex. sess., section 42, chapter 56, Laws of 1970 ex. sess., section 57, chapter 167, Laws of 1983 and RCW 35.67.080;

(18) Section 35.67.090, chapter 7, Laws of 1965, section 58, chapter 167, Laws of 1983 and RCW 35.67.090;

(19) Section 35.67.100, chapter 7, Laws of 1965 and RCW 35.67.100;

(20) Section 36.62.080, chapter 4, Laws of 1963, section 73, chapter 167, Laws of 1983 and RCW 36.62.080;

(21) Section 36.67.030, chapter 4, Laws of 1963, section 79, chapter 3, Laws of 1983, section 74, chapter 167, Laws of 1983 and RCW 36.67.030;

(22) Section 36.67.040, chapter 4, Laws of 1963, section 3, chapter 107, Laws of 1967, section 5, section 142, Laws of 1969, section 1, chapter 145, Laws of 1980, section 10, chapter 156, Laws of 1981, section 75, chapter 167, Laws of 1983 and RCW 36.67.040;

(23) Section 36.67.050, chapter 4, Laws of 1963, section 76, chapter 167, Laws of 1983 and RCW 36.67.050;

(24) Section 1, chapter 151, Laws of 1923, section 1, chapter 141, Laws of 1961, section 1, chapter 74, Laws of 1965 ex. sess., section 105, chapter 167, Laws of 1983 and RCW 39.44.010;

(25) Section 4, chapter 74, Laws of 1965 ex. sess. and RCW 39.44.011;

(26) Section 2, chapter 151, Laws of 1923, section 2, chapter 74, Laws of 1965 ex. sess., section 6, chapter 188, Laws of 1975 1st ex. sess. and RCW 39.44.020;

(27) Section 3, chapter 151, Laws of 1923, section 2, chapter 141, Laws of 1961, section 3, chapter 74, Laws of 1965 ex. sess., section 93, chapter 232, Laws of 1969 ex. sess., section 58, chapter 56, Laws of 1970 ex. sess., section 14, chapter 156, Laws of 1981, section 11, chapter 216, Laws of 1982, section 106, chapter 167, Laws of 1983 and RCW 39.44.030;

(28) Section 4, chapter 151, Laws of 1923 and RCW 39.44.060;

(29) Section 6, chapter 151, Laws of 1923 and RCW 39.44.080;

(30) Section 1, chapter 180, Laws of 1939 and RCW 39.44.090;

(31) Section 3, chapter 170, Laws of 1895, section 1, chapter 54, Laws of 1901, section 1, chapter 204, Laws of 1909, section 114, chapter 167, Laws of 1983 and RCW 39.52.030;

(32) Section 4, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.090;

(33) Section 5, chapter 24, Laws of 1951 2nd ex. sess., section 40, chapter 232, Laws of 1969 ex. sess., section 67, chapter 56, Laws of 1970 ex. sess., section 124, chapter 167, Laws of 1983 and RCW 52.16.100;

- (34) Section 6, chapter 24, Laws of 1951 2nd ex. sess., section 125, chapter 167, Laws of 1983 and RCW 52.16.110;
- (35) Section 7, chapter 24, Laws of 1951 2nd ex. sess., section 51, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.120;
- (36) Section 1, chapter 7, Laws of 1941 and RCW 53.43.010;
- (37) Section 2, chapter 7, Laws of 1941 and RCW 53.43.020;
- (38) Section 3, chapter 7, Laws of 1941, section 141, chapter 167, Laws of 1983 and RCW 53.43.030;
- (39) Section 4, chapter 7, Laws of 1941, section 17, chapter 156, Laws of 1981, section 142, chapter 167, Laws of 1983 and RCW 53.43.040;
- (40) Section 5, chapter 7, Laws of 1941 and RCW 53.43.050;
- (41) Section 6, chapter 7, Laws of 1941 and RCW 53.43.060;
- (42) Section 7, chapter 7, Laws of 1941 and RCW 53.43.070;
- (43) Section 2, chapter 239, Laws of 1947, section 91, chapter 232, Laws of 1969 ex. sess., section 76, chapter 56, Laws of 1970 ex. sess., section 143, chapter 167, Laws of 1983 and RCW 53.44.020;
- (44) Section 4, chapter 239, Laws of 1947 and RCW 53.44.040;
- (45) Section 13, chapter 264, Laws of 1945, section 3, chapter 65, Laws of 1969 ex. sess., section 86, chapter 56, Laws of 1970 ex. sess., section 173, chapter 167, Laws of 1983 and RCW 70.44.120;
- (46) Section 136, chapter 254, Laws of 1927 and RCW 89.30.406;
- (47) Section 137, chapter 254, Laws of 1927 and RCW 89.30.409;
- (48) Section 139, chapter 254, Laws of 1927, section 251, chapter 167, Laws of 1983 and RCW 89.30.415;
- (49) Section 140, chapter 254, Laws of 1927, section 61, chapter 232, Laws of 1969 ex. sess., section 102, chapter 56, Laws of 1970 ex. sess., section 252, chapter 167, Laws of 1983 and RCW 89.30.418;
- (50) Section 141, chapter 254, Laws of 1927, section 253, chapter 167, Laws of 1983 and RCW 89.30.421;
- (51) Section 142, chapter 254, Laws of 1927 and RCW 89.30.424;
- (52) Section 271, chapter 167, Laws of 1983; and
- (53) Section 272, chapter 167, Laws of 1983."

On page 1, line 1 of the title, after "borrowing;" strike the remainder of the title and insert "amending section 26, chapter 153, Laws of 1957 as last amended by section 18, chapter 167, Laws of 1983 and RCW 17.28.260; amending section 6, chapter 59, Laws of 1955 as last amended by section 19, chapter 167, Laws of 1983 and RCW 27.12.060; amending section 7, chapter 59, Laws of 1955 as last amended by section 6, chapter 195, Laws of 1973 1st ex. sess. and RCW 27.12.070; amending section 1, chapter 59, Laws of 1955 as last amended by section 11, chapter 123, Laws of 1982 and RCW 27.12.222; amending section 2, chapter 59, Laws of 1955 as last amended by section 20, chapter 167, Laws of 1983 and RCW 27.12.223; amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 167, Laws of 1983 and RCW 28A.51.010; amending section 28A.51.020, chapter 223, Laws of 1969 ex. sess. as amended by section 9, chapter 42, Laws of 1970 ex. sess. and RCW 28A.51.020; amending section 28A.51.070, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 167, Laws of 1983 and RCW 28A.51.070; amending section 28A.51.180, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 167, Laws of 1983 and RCW 28A.51.180; amending section 28A.52.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 28, chapter 167, Laws of 1983 and RCW 28A.52.050; amending section 35.37.040, chapter 7, Laws of 1965 as amended by section 12, chapter 42, Laws of 1970 ex. sess. and RCW 35.37.040; amending section 35.37.050, chapter 7, Laws of 1965 and RCW 35.37.050; amending section 35.37.090, chapter 7, Laws of 1965 as amended by section 36, chapter 167, Laws of 1983 and RCW 35.37.090; amending section 1, chapter 11, Laws of 1970 ex. sess. as last amended by section 47, chapter 167, Laws of 1983 and RCW 35.58.450; amending section 6, chapter 110, Laws of 1967 as amended by section 49, chapter 167, Laws of 1983 and RCW 35.59.060; amending section 35.60.040, chapter 7, Laws of 1965 as amended by section 51, chapter 167, Laws of 1983 and RCW 35.60.040; amending section 35.61.100, chapter 7, Laws of 1965 as last amended by section 1, chapter 61, Laws of 1983 and RCW 35.61.100; amending section 35.67.070, chapter 7, Laws of 1965 and RCW 35.67.070; amending section 35.92.080, chapter 7, Laws of 1965 as last amended by section 67, chapter 167, Laws of 1983 and RCW 35.92.080; amending section 35A.40.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.40.010; amending section 6, chapter 175, Laws of 1982 as amended by section 71, chapter 167, Laws of 1983 and RCW 36.58.150; amending section 36.62.070, chapter 4, Laws of 1963 as last amended by section 72, chapter 167, Laws of 1983 and RCW 36.62.070; amending section 36.67.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 76, Laws of 1971 and RCW 36.67.010; amending section 36.67.060, chapter 4, Laws of 1963 as last amended by section 77, chapter 167, Laws of 1983 and RCW 36.67.060; amending section 13, chapter 218, Laws of 1963 as last amended by section 83, chapter 167, Laws of 1983 and RCW 36.68.520; amending section 36.69.140, chapter 4, Laws of 1963 as last amended by section 84, chapter 167, Laws of 1983 and RCW 36.69.140; amending

section 36.76.090, chapter 4, Laws of 1963 as last amended by section 91, chapter 167, Laws of 1983 and RCW 36.76.090; amending section 36.76.100, chapter 4, Laws of 1963 and RCW 36.76.100; amending section 36.76.120, chapter 4, Laws of 1963 as amended by section 92, chapter 167, Laws of 1983 and RCW 36.76.120; amending section 4, chapter 109, Laws of 1967 as last amended by section 99, chapter 167, Laws of 1983 and RCW 36.89.040; amending section 20, chapter 72, Laws of 1967 as last amended by section 101, chapter 167, Laws of 1983 and RCW 36.94.200; amending section 1, chapter 170, Laws of 1895 as amended by section 1, chapter 145, Laws of 1917 and RCW 39.52.010; amending section 2, chapter 170, Laws of 1895 as last amended by section 113, chapter 167, Laws of 1983 and RCW 39.52.020; amending section 6, chapter 170, Laws of 1895 and RCW 39.52.050; amending section 3, chapter 176, Laws of 1953 as last amended by section 122, chapter 167, Laws of 1983 and RCW 52.16.061; amending section 3, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 50, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.080; amending section 12, chapter 65, Laws of 1955 as last amended by section 32, chapter 42, Laws of 1970 ex. sess. and RCW 53.36.030; amending section 1, chapter 239, Laws of 1947 and RCW 53.44.010; amending section 3, chapter 239, Laws of 1947 and RCW 53.44.030; amending section 8, chapter 390, Laws of 1955 as last amended by section 144, chapter 167, Laws of 1983 and RCW 54.16.070; amending section 1, chapter 12, Laws of 1971 as amended by section 146, chapter 167, Laws of 1983 and RCW 54.24.018; amending section 14, chapter 210, Laws of 1941 as last amended by section 63, chapter 195, Laws of 1973 1st ex. sess. and RCW 56.16.010; amending section 17, chapter 210, Laws of 1941 as last amended by section 4, chapter 300, Laws of 1977 ex. sess. and RCW 56.16.030; amending section 18, chapter 210, Laws of 1941 as last amended by section 155, chapter 167, Laws of 1983 and RCW 56.16.040; amending section 42, chapter 210, Laws of 1941 as last amended by section 34, chapter 42, Laws of 1970 ex. sess. and RCW 56.16.050; amending section 16, chapter 250, Laws of 1953 as last amended by section 8, chapter 300, Laws of 1977 ex. sess. and RCW 56.16.115; amending section 1, chapter 31, Laws of 1974 ex. sess. and RCW 57.16.020; amending section 9, chapter 18, Laws of 1959 as last amended by section 6, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.040; amending section 11, chapter 114, Laws of 1929 as last amended by section 162, chapter 167, Laws of 1983 and RCW 57.20.010; amending section 16, chapter 251, Laws of 1953 as last amended by section 163, chapter 167, Laws of 1983 and RCW 57.20.015; amending section 20, chapter 114, Laws of 1929 as amended by section 36, chapter 42, Laws of 1970 ex. sess. and RCW 57.20.120; amending section 8, chapter 236, Laws of 1967 and RCW 67.28.150; amending section 11, chapter 22, Laws of 1982 1st ex. sess. as amended by section 169, chapter 167, Laws of 1983 and RCW 67.38.110; amending section 11, chapter 6, Laws of 1947 as amended by section 6, chapter 164, Laws of 1967 and RCW 68.16.110; amending section 6, chapter 264, Laws of 1945 as last amended by section 172, chapter 167, Laws of 1983 and RCW 70.44.060; amending section 12, chapter 264, Laws of 1945 as last amended by section 3, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.110; amending section 14, chapter 264, Laws of 1945 as amended by section 3, chapter 218, Laws of 1971 ex. sess. and RCW 70.44.130; reenacting and amending section 17, chapter 153, Laws of 1961 as amended by section 211, chapter 167, Laws of 1983 and by section 21, chapter 315, Laws of 1983 and RCW 86.15.170; amending section 134, chapter 254, Laws of 1927 as amended by section 38, chapter 42, Laws of 1970 ex. sess. and RCW 89.30.400; amending section 135, chapter 254, Laws of 1927 as amended by section 39, chapter 42, Laws of 1970 ex. sess. and RCW 89.30.403; amending section 138, chapter 254, Laws of 1927 as amended by section 250, chapter 167, Laws of 1983 and RCW 89.30.412; amending section 2, chapter 138, Laws of 1965 ex. sess. as amended by section 1, chapter 25, Laws of 1973 1st ex. sess. and RCW 39.53.010; adding a new section to chapter 35.45 RCW; adding a new section to chapter 39.36 RCW; adding new sections to chapter 39.46 RCW; adding a new section to chapter 39.53 RCW; adding a new section to chapter 36.88 RCW; creating a new section; repealing section 28A.51.030, chapter 223, Laws of 1969 ex. sess., section 22, chapter 167, Laws of 1983 and RCW 28A.51.030; repealing section 28A.51.055, chapter 223, Laws of 1969 ex. sess., section 23, chapter 167, Laws of 1983 and RCW 28A.51.055; repealing section 28A.51.056, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.056; repealing section 28A.51.057, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.057; repealing section 28A.51.058, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.058; repealing section 28A.51.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.210; repealing section 28A.52.055, chapter 223, Laws of 1969 ex. sess., section 29, chapter 167, Laws of 1983 and RCW 28A.52.055; repealing section 35.37.060, chapter 7, Laws of 1965 and RCW 35.37.060; repealing section 35.37.070, chapter 7, Laws of 1965 and RCW 35.37.070; repealing section 35.37.100, chapter 7, Laws of 1965, section 37, chapter 167, Laws of 1983 and RCW 35.37.100; repealing section 35.40.010, chapter 7, Laws of 1965 and RCW 35.40.010; repealing section 35.40.020, chapter 7, Laws of 1965 and RCW 35.40.020; repealing section 35.40.040, chapter 7, Laws of 1965 and RCW 35.40.040; repealing section 35.40.050, chapter 7, Laws of 1965 and RCW 35.40.050; repealing section 35.61.160, chapter 7, Laws of 1965, section 2, chapter 61, Laws of 1983, section 53, chapter 167, Laws of 1983 and RCW 35.61.160; repealing section 35.61.170, chapter 7, Laws of 1965, section 19, chapter 232, Laws of 1969 ex. sess., section 41, chapter 56, Laws of 1970 ex. sess., section 54, chapter 167, Laws of 1983 and RCW 35.61.170; repealing section 35.67.080, chapter 7, Laws of 1965, section 20, chapter 232, Laws of 1969 ex. sess., section 42, chapter 56, Laws of 1970 ex.

sess., section 57, chapter 167, Laws of 1983 and RCW 35.67.080; repealing section 35.67.090, chapter 7, Laws of 1965, section 58, chapter 167, Laws of 1983 and RCW 35.67.090; repealing section 35.67.100, chapter 7, Laws of 1965 and RCW 35.67.100; repealing section 36.62.080, chapter 4, Laws of 1963, section 73, chapter 167, Laws of 1983 and RCW 36.62.080; repealing section 36.67.030, chapter 4, Laws of 1963, section 79, chapter 3, Laws of 1983, section 74, chapter 167, Laws of 1983 and RCW 36.67.030; repealing section 36.67.040, chapter 4, Laws of 1963, section 3, chapter 107, Laws of 1967, section 5, section 142, Laws of 1969, section 1, chapter 145, Laws of 1980, section 10, chapter 156, Laws of 1981, section 75, chapter 167, Laws of 1983 and RCW 36.67.040; repealing section 36.67.050, chapter 4, Laws of 1963, section 76, chapter 167, Laws of 1983 and RCW 36.67.050; repealing section 1, chapter 151, Laws of 1923, section 1, chapter 141, Laws of 1961, section 1, chapter 74, Laws of 1965 ex. sess., section 105, chapter 167, Laws of 1983 and RCW 39.44.010; repealing section 4, chapter 74, Laws of 1965 ex. sess. and RCW 39.44.011; repealing section 2, chapter 151, Laws of 1923, section 2, chapter 74, Laws of 1965 ex. sess., section 6, chapter 188, Laws of 1975 1st ex. sess. and RCW 39.44.020; repealing section 3, chapter 151, Laws of 1923, section 2, chapter 141, Laws of 1961, section 3, chapter 74, Laws of 1965 ex. sess., section 93, chapter 232, Laws of 1969 ex. sess., section 58, chapter 56, Laws of 1970 ex. sess., section 14, chapter 156, Laws of 1981, section 11, chapter 216, Laws of 1982, section 106, chapter 167, Laws of 1983 and RCW 39.44.030; repealing section 4, chapter 151, Laws of 1923 and RCW 39.44.060; repealing section 6, chapter 151, Laws of 1923 and RCW 39.44.080; repealing section 1, chapter 180, Laws of 1939 and RCW 39.44.090; repealing section 3, chapter 170, Laws of 1895, section 1, chapter 54, Laws of 1901, section 1, chapter 204, Laws of 1909, section 114, chapter 167, Laws of 1983 and RCW 39.52.030; repealing section 4, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.090; repealing section 5, chapter 24, Laws of 1951 2nd ex. sess., section 40, chapter 232, Laws of 1969 ex. sess., section 67, chapter 56, Laws of 1970 ex. sess., section 124, chapter 167, Laws of 1983 and RCW 52.16.100; repealing section 6, chapter 24, Laws of 1951 2nd ex. sess., section 125, chapter 167, Laws of 1983 and RCW 52.16.110; repealing section 7, chapter 24, Laws of 1951 2nd ex. sess., section 51, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.120; repealing section 1, chapter 7, Laws of 1941 and RCW 53.43.010; repealing section 2, chapter 7, Laws of 1941 and RCW 53.43.020; repealing section 3, chapter 7, Laws of 1941, section 141, chapter 167, Laws of 1983 and RCW 53.43.030; repealing section 4, chapter 7, Laws of 1941, section 17, chapter 156, Laws of 1981, section 142, chapter 167, Laws of 1983 and RCW 53.43.040; repealing section 5, chapter 7, Laws of 1941 and RCW 53.43.050; repealing section 6, chapter 7, Laws of 1941 and RCW 53.43.060; repealing section 7, chapter 7, Laws of 1941 and RCW 53.43.070; repealing section 2, chapter 239, Laws of 1947, section 91, chapter 232, Laws of 1969 ex. sess., section 76, chapter 56, Laws of 1970 ex. sess., section 143, chapter 167, Laws of 1983 and RCW 53.44.020; repealing section 4, chapter 239, Laws of 1947 and RCW 53.44.040; repealing section 13, chapter 264, Laws of 1945, section 3, chapter 65, Laws of 1969 ex. sess., section 86, chapter 56, Laws of 1970 ex. sess., section 173, chapter 167, Laws of 1983 and RCW 70.44.120; repealing section 136, chapter 254, Laws of 1927 and RCW 89.30.406; repealing section 137, chapter 254, Laws of 1927 and RCW 89.30.409; repealing section 139, chapter 254, Laws of 1927, section 251, chapter 167, Laws of 1983 and RCW 89.30.415; repealing section 140, chapter 254, Laws of 1927, section 61, chapter 232, Laws of 1969 ex. sess., section 102, chapter 56, Laws of 1970 ex. sess., section 252, chapter 167, Laws of 1983 and RCW 89.30.418; repealing section 141, chapter 254, Laws of 1927, section 253, chapter 167, Laws of 1983 and RCW 89.30.421; repealing section 142, chapter 254, Laws of 1927 and RCW 89.30.424; repealing section 271, chapter 167, Laws of 1983; and repealing section 272, chapter 167, Laws of 1983."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Moon, the House concurred in the Senate amendments to Substitute House Bill No. 1124.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1124 as amended by the Senate.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1124 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, ; excused, .

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman,

Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1124 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 20, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1149 with the following amendments:

On page 3, line 26 after "officers" strike "and" and insert "(~~and~~) or"

On page 13, beginning on line 6 strike all material through "event" on line 7 and insert:

"The gross wagers and bets received by the organizations less the amount of money paid by the organizations as winnings and for the purchase costs of prizes given as winnings may not exceed ten thousand dollars during the total calendar days of such event"
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Monohon, the House concurred in the Senate amendments to Engrossed House Bill No. 1149.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 1149 as amended by the Senate.

Ms. Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1149 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; nays, 23; absent, 3; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Bond, Broback, Cantu, Chandler, Dellwo, Fuhrman, Galloway, Garrett, Hankins, Isaacson, Johnson, Miller, Patrick, Pruitt, Smith L, Sutherland, Van Luven, Vander Stoep, Williams B - 23.

Absent: Representatives McClure, Prince, Van Dyken - 3.

Engrossed House Bill No. 1149 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.

STATEMENT FOR THE JOURNAL

I wish to be recorded as a "No" vote on Engrossed House Bill No. 1149 as amended by the Senate.

DARWIN R. NEALEY, 9th District.

SENATE AMENDMENTS TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1159 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that members of part-time boards, commissions, councils, committees, and other similar groups established by the executive, legislative, or judicial branches of state government make a valuable contribution to the public welfare. This time and talent so generously donated to the state is gratefully acknowledged.

The legislature further finds that membership on certain part-time groups involves responsibility for major policy decisions and represents a significant demand on the time and resources of members. The demands and responsibilities are well beyond reasonable expectations of an individual's gratuitous contribution to the public welfare. It is therefore appropriate to provide compensation to members of specific qualifying groups and further to provide three levels of compensation based on the responsibilities of the group and the time required to perform the group's statutory duties.

NEW SECTION. Sec. 2. There is added to chapter 43.03 RCW a new section to read as follows:

CLASS ONE GROUPS. (1) Any part-time board, commission, council, committee, or other similar group which is established by the executive, legislative, or judicial branch to participate in state government and which functions primarily in an advisory, coordinating, or planning capacity shall be identified as a class one group.

(2) Absent any other provision of law to the contrary, no money beyond the customary reimbursement or allowance for expenses may be paid by or through the state to members of class one groups for attendance at meetings of such groups.

NEW SECTION. Sec. 3. There is added to chapter 43.03 RCW a new section to read as follows:

CLASS TWO GROUPS. (1) Any agricultural commodity commission established pursuant to Title 15 or 16 RCW shall be identified as a class two group for purposes of compensation.

(2) Except as otherwise provided in this section, each member of a class two group is eligible to receive compensation in an amount not to exceed thirty-five dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group. A person shall not receive compensation for a day of service under this section if the person (a) occupies a position, normally regarded as full-time in nature, in any agency of the federal government, Washington state government, or Washington state local government; and (b) receives any compensation from such government for working that day.

(3) Compensation may be paid a member under this section only if it is authorized under the law dealing in particular with the specific group to which the member belongs or dealing in particular with the members of that specific group.

NEW SECTION. Sec. 4. There is added to chapter 43.03 RCW a new section to read as follows:

CLASS THREE GROUPS. (1) Any part-time, statutory board, commission, council, committee, or other similar group which has rule-making authority, performs quasi-judicial functions, has responsibility for the administration or policy direction of a state agency or program, or performs regulatory or licensing functions with respect to a specific profession, occupation, business, or industry shall be identified as a class three group for purposes of compensation.

(2) Except as otherwise provided in this section, each member of a class three group is eligible to receive compensation in an amount not to exceed fifty dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group. A person shall not receive compensation for a day of service under this section if the person (a) occupies a position, normally regarded as full-time in nature, in any agency of the federal government, Washington state government, or Washington state local government; and (b) receives any compensation from such government for working that day.

(3) Compensation may be paid a member under this section only if it is authorized under the law dealing in particular with the specific group to which the member belongs or dealing in particular with the members of that specific group.

NEW SECTION. Sec. 5. There is added to chapter 43.03 RCW a new section to read as follows:

CLASS FOUR GROUPS. (1) A part-time, statutory board, commission, council, committee, or other similar group shall be identified as a class four group for purposes of compensation if the group:

(a) Has rule-making authority, performs quasi-judicial functions, or has responsibility for the administration or policy direction of a state agency or program;

(b) Has duties that are deemed by the legislature to be of overriding sensitivity and importance to the public welfare and the operation of state government; and

(c) Requires service from its members representing a significant demand on their time that is normally in excess of one hundred hours of meeting time per year.

(2) Each member of a class four group is eligible to receive compensation in an amount not to exceed one hundred dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group. A person shall not receive compensation for a day of service under this section if the

person (a) occupies a position, normally regarded as full-time in nature, in any agency of the federal government, Washington state government, or Washington state local government; and (b) receives any compensation from such government for working that day.

(3) Compensation may be paid a member under this section only if it is authorized under the law dealing in particular with the specific group to which the member belongs or dealing in particular with the members of that specific group.

Sec. 6. Section 3, chapter 157, Laws of 1951 as amended by section 1, chapter 21, Laws of 1969 and RCW 1.08.005 are each amended to read as follows:

For attendance at meetings of the committee or in attending to such other business of the committee as may be authorized thereby, each legislative member of the committee shall receive the per diem and travel allowances provided for such members by RCW 44.04.120, and each other member shall be ~~((entitled to allowances at rates equivalent thereto))~~ compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 7. Section 1, chapter 185, Laws of 1943 as amended by section 1, chapter 42, Laws of 1971 and RCW 2.32.160 are each amended to read as follows:

There is hereby created a commission to supervise the publication of the decisions of the supreme court and court of appeals of this state in both the form of advance sheets for temporary use and in permanent form, to be known as the commission on supreme court reports, and to consist of six members, as follows: The chief justice of the supreme court, who shall be chairman of the commission, the reporter of decisions of the supreme court, the state law librarian, a judge of the court of appeals designated by the chief judges, the public printer, and a representative of the Washington state bar who shall be appointed by the president thereof. Members of the commission shall serve as such without additional or any compensation: PROVIDED, That members shall be compensated in accordance with section 4 of this 1984 act.

Sec. 8. Section 5, chapter 268, Laws of 1981 and RCW 2.64.040 are each amended to read as follows:

Commission members and alternate members shall ~~((serve without compensation but))~~ be compensated in accordance with section 5 of this 1984 act and shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060~~((as now or hereafter amended)).~~

Sec. 9. Section 5, chapter 218, Laws of 1973 1st ex. sess. as amended by section 7, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.050 are each amended to read as follows:

(1) Upon appointment of the initial membership the commission shall meet at a time and place designated by the governor and proceed to organize, electing one of such members as chairman of the commission who shall serve until July 1, 1974; thereafter a chairman shall be elected annually.

(2) A majority of the members shall constitute a quorum of the commission: PROVIDED, That all actions of the commission relating to the regulation of licensing under this chapter shall require an affirmative vote by three or more members of the commission.

(3) The principal office of the commission shall be at the state capitol, and meetings shall be held at least quarterly and at such other times as may be called by the chairman or upon written request to the chairman of a majority of the commission.

(4) Members shall be compensated in accordance with section 5 of this 1984 act and shall receive ~~((fifty dollars for each day or major portion thereof spent in performance of their duties plus))~~ reimbursement for travel expenses incurred in the performance of their duties as provided in RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended)).~~

(5) Before entering upon the duties of his office, each of ~~((said))~~ the members of the commission shall enter into a surety bond executed by a surety company authorized to do business in this state, payable to the state of Washington, to be approved by the governor, in the penal sum of fifty thousand dollars, conditioned upon the faithful performance of his duties, and shall take and subscribe to the oath of office prescribed for elective state officers, which oath and bond shall be filed with the secretary of state. The premium for said bond shall be paid by the commission.

(6) Any member of the commission may be removed for inefficiency, malfeasance, or misfeasance in office, upon specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing, which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final. Removal of any member of the commission by the tribunal shall disqualify such member for reappointment.

Sec. 10. Section 6, chapter 137, Laws of 1981 and RCW 9.94A.060 are each amended to read as follows:

(1) The commission consists of fifteen voting members, one of whom the governor shall designate as chairperson. With the exception of ex officio voting members, the voting members of the commission shall be appointed by the governor, subject to confirmation by the senate.

(2) The voting membership consists of the following:

- (a) The head of the state agency having general responsibility for adult correction programs, as an ex officio member;
- (b) The director of financial management, as an ex officio member;
- (c) Until July 1, 1988, the chairman of the board of prison terms and paroles, as an ex officio member, and thereafter the chairman of the clemency and pardons board, as an ex officio member;
- (d) Two prosecuting attorneys;
- (e) Two attorneys with particular expertise in defense work;
- (f) Four persons who are superior court judges;
- (g) One person who is the chief law enforcement officer of a county or city;
- (h) Three members of the public who are not and have never been prosecutors, attorneys, judges, or law enforcement officers.

In making the appointments, the governor shall seek the recommendations of Washington prosecutors in respect to the prosecuting attorney members, of the Washington state bar association in respect to the attorney members, of the association of superior court judges in respect to the members who are judges, and of the Washington association of sheriffs and police chiefs in respect to the member who is a law enforcement officer.

(3) All voting members of the commission, except ex officio voting members, shall serve terms of three years and until their successors are appointed and confirmed. However, the governor shall stagger the terms by appointing four of the initial members for terms of one year, four for terms of two years, and four for terms of three years.

(4) The speaker of the house of representatives and the president of the senate may each appoint two nonvoting members to the commission, one from each of the two largest caucuses in each house. The members so appointed shall serve two-year terms, or until they cease to be members of the house from which they were appointed, whichever occurs first.

(5) The members of the commission shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~). Legislative members shall be reimbursed by their respective houses as provided under RCW 44.04.120, as now existing or hereafter amended. Members shall be compensated in accordance with section 5 of this 1984 act.

Sec. 11. Section 3, chapter 299, Laws of 1981 and RCW 13.40.025 are each amended to read as follows:

(1) There is established a juvenile disposition standards commission to propose disposition standards to the legislature in accordance with RCW 13.40.030 and perform the other responsibilities set forth in this chapter.

(2) The commission shall be composed of the secretary or the secretary's designee and the following eight members appointed by the governor, subject to confirmation by the senate: (a) A superior court judge; (b) a prosecuting attorney or deputy prosecuting attorney; (c) a law enforcement officer; (d) an administrator of juvenile court services; (e) a public defender actively practicing in juvenile court; and (f) three other persons who have demonstrated significant interest in the adjudication and disposition of juvenile offenders. In making the appointments, the governor shall seek the recommendations of the association of superior court judges in respect to the member who is a superior court judge; of Washington prosecutors in respect to the prosecuting attorney or deputy prosecuting attorney member; of the Washington association of sheriffs and police chiefs in respect to the member who is a law enforcement officer; of juvenile court administrators in respect to the member who is a juvenile court administrator; and of the state bar association in respect to the public defender member.

(3) The secretary or the secretary's designee shall serve as chairman of the commission.

(4) The secretary shall serve on the commission during the secretary's tenure as secretary of the department. The term of the remaining members of the commission shall be three years. The initial terms shall be determined by lot conducted at the commission's first meeting as follows: (a) Four members shall serve a two-year term; and (b) four members shall serve a three-year term. In the event of a vacancy, the appointing authority shall designate a new member to complete the remainder of the unexpired term.

(5) Commission members (~~shall serve without compensation but~~) shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 (~~as now or hereafter amended~~). Members shall be compensated in accordance with section 4 of this 1984 act.

(6) The commission's first meeting shall be held prior to January 1, 1982. Thereafter, the commission shall meet at least once every six months.

Sec. 12. Section 15.24.050, chapter 11, Laws of 1961 as last amended by section 12, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.24.050 are each amended to read as follows:

In the event a position becomes vacant due to resignation, disqualification, death, or for any other reason, such position until the next annual meeting shall be filled by vote of the remaining members of the commission. At such annual meeting a commissioner shall be elected to fill the balance of the unexpired term.

A majority of the voting members shall constitute a quorum for the transaction of all business and the carrying out of the duties of (~~said~~) the commission.

Each member of the commission shall ~~((receive a sum to be determined by the commission but not more than twenty dollars per day for each day spent in actual attendance on or traveling to and from meetings of the commission, or on special assignment for the commission, together with))~~ be compensated in accordance with section 3 of this 1984 act and shall be reimbursed for actual travel expenses incurred in carrying out the provisions of this chapter. Employees of the commission may also be reimbursed for actual travel expenses when out of state on official commission business.

Sec. 13. Section 10, chapter 129, Laws of 1969 as amended by section 13, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.26.100 are each amended to read as follows:

Each member of the commission shall ~~((receive payment to be determined by the commission not to exceed twenty dollars per day for each day spent in actual attendance at commission meetings, or on traveling to and from meetings of the commission, or on special assignments for the commission, together with))~~ be compensated in accordance with section 3 of this 1984 act and shall be reimbursed for actual travel expenses incurred in carrying out the provisions of this chapter. Employees of the commission may also be reimbursed for actual travel expenses when out of state on official commission business.

Sec. 14. Section 15.28.090, chapter 11, Laws of 1961 as last amended by section 14, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.28.090 are each amended to read as follows:

Each member of the commission shall ~~((receive the sum of twenty dollars per day for each day spent in actual attendance on or in traveling to and from meetings of the commission or on special assignment for the commission, together with))~~ be compensated in accordance with section 3 of this 1984 act and shall be reimbursed for actual travel expenses incurred in carrying out the provisions of this chapter. Employees of the commission may also be reimbursed for actual travel expenses when out of state on official commission business.

Sec. 15. Section 15.44.038, chapter 11, Laws of 1961 as last amended by section 15, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.44.038 are each amended to read as follows:

A majority of the commission members shall constitute a quorum for the transaction of all business and the performance of all duties of the commission. Each member shall ~~((receive a sum not to exceed thirty-five dollars a day for each day spent in actual attendance at or traveling to and from meetings of the commission or when conducting business of the commission as authorized by the commission, together with))~~ be compensated in accordance with section 3 of this 1984 act and shall be reimbursed for travel expenses at the rates allowed by RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 16. Section 27, chapter 256, Laws of 1961 as amended by section 19, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.65.270 are each amended to read as follows:

In the event of a vacancy on the board, the remaining members shall select a qualified person to fill the unexpired term. A majority of the voting members of the board shall constitute a quorum for the transaction of all business and the carrying out of all duties of the board. Each member of the board shall ~~((receive a sum to be specified in the marketing agreement or order not in excess of thirty-five dollars per day for each day spent in actual attendance on or traveling to and from meetings of the board or on special assignment for the board, together with))~~ be compensated in accordance with section 3 of this 1984 act and shall be reimbursed for travel expenses at the rates allowed state employees in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 17. Section 15.66.130, chapter 11, Laws of 1961 as last amended by section 20, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.66.130 are each amended to read as follows:

Each commodity commission shall hold such regular meetings as the marketing order may prescribe or that the commission by resolution may prescribe, together with such special meetings that may be called in accordance with provisions of its resolutions upon reasonable notice to all members thereof. A majority of the members shall constitute a quorum for the transaction of all business of the commission. In the event of a vacancy in an elected or appointed position on the commission, the remaining elected members of the commission shall select a qualified person to fill the unexpired term.

Each member of the commission shall ~~((receive a specified sum as provided in the marketing order but not in excess of thirty-five dollars per day for each day spent in actual attendance at or traveling to and from meetings of the commission or on special assignments for the commission, together with))~~ be compensated in accordance with section 3 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 18. Section 8, chapter 61, Laws of 1961 as last amended by section 21, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.76.170 are each amended to read as follows:

There is hereby created a fairs commission to consist of the director of agriculture as ex officio member and chairman, and seven members appointed by the director to be persons who are interested in fair activities; at least three of whom shall be from the east side of the Cascades and three from the west side of the Cascades and one member at large. The first appointment shall be: Three for a one year term, two for a two year term, and two for a three year term, and thereafter the appointments shall be for three year terms.

Appointed members of the commission shall ~~((receive thirty-five dollars for each day actually spent on commission business plus))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses, in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)) payable on proper vouchers submitted to and approved by the director, and payable from that portion of the state fair fund set aside for administrative costs under this chapter. The commission shall meet at the call of the chairman, but at least annually. It shall be the duty of the commission to act as an advisory committee to the director, to assist in the preparation of the merit rating used in determining allocations to be made to fairs, and to perform such other duties as may be required by the director from time to time.

Sec. 19. Section 6, chapter 133, Laws of 1969 as amended by section 22, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 16.67.070 are each amended to read as follows:

In the event a position on the commission becomes vacant due to resignation, disqualification, death, or for any other reason, the unexpired term of such position shall be filled by the governor forthwith.

Each member of the commission shall ~~((receive the sum of twenty-five dollars for each day spent in actual attendance on or traveling to and from meetings of the commission, or on special assignment for the commission, together with))~~ be compensated in accordance with section 3 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

Sec. 20. Section 7, chapter 226, Laws of 1949 as last amended by section 22, chapter 234, Laws of 1983 and RCW 18.04.080 are each amended to read as follows:

Each member of the board shall be ~~((paid forty-four dollars for each day or portion thereof spent in the discharge of his official duties))~~ compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses incurred in the discharge of such duties in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

Sec. 21. Section 3, chapter 323, Laws of 1959 as amended by section 27, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.08.120 are each amended to read as follows:

There is hereby created a state board of registration for architects, to consist of five members who shall be appointed by the governor, each of whom shall have been a resident of this state for at least eight years and shall have at least eight years' experience in the practice of architecture as a licensed or registered architect in responsible charge of architectural work or responsible charge of architectural teaching immediately preceding appointment.

The members of the first board shall serve for the following terms:

One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Every member of the board shall receive a certificate of his appointment from the governor and before beginning his term of office shall file with the secretary of state his written oath or affirmation for the faithful discharge of his official duties. On the expiration of the term of each member, the governor shall appoint a successor to serve for a term of five years or until his successor has been appointed and qualified.

The governor may remove any member of the board for cause. Vacancies in the board for any reason shall be filled by appointment for the unexpired term.

Members shall ~~((receive twenty-five dollars for each day actually performing board duties or traveling on board business))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for their travel expenses incurred in carrying out the provisions of this chapter in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

Sec. 22. Section 11, chapter 101, Laws of 1957 as last amended by section 28, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.055 are each amended to read as follows:

The secretary shall have a full-time position with a salary to conform with standards set by the department of licensing for similar positions.

Each member of the examining committee shall ~~((receive as compensation twenty-five dollars for each day's attendance at meetings of the committee))~~ be compensated in accordance with section 4 of this 1984 act. Members including the secretary shall be reimbursed for travel expenses incurred in the actual performance of their duties in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 23. Section 5, chapter 101, Laws of 1957 as last amended by section 29, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.140 are each amended to read as follows:

A hearing board is hereby established for the purpose of hearing all charges of violations of any of the provisions of this chapter. The hearing board shall consist of three members to be appointed by the governor in the following manner: Two members, who meet the same requirements as members of the board of examiners, and one member unaffiliated with the barber profession. The first term shall be: One for six years, one for four years, and one for two

years; thereafter, the terms shall be for six years and until a successor is appointed and qualified. The governor shall fill any vacancy within ninety days after it occurs by an appointment for the remainder of the unexpired term.

The hearing board shall select one of its members as its chairman and meetings shall be held as often as shall be deemed necessary to perform its duties. All members shall be present before business may be transacted.

Each member of the board shall ~~((receive as compensation for this attendance at hearings or other proper meetings twenty-five dollars for each day or part-day in attendance.))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses incurred in the performance of duties in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

The director of licensing shall exercise direct supervision over the hearing board, and the board shall file a report to the director immediately after each session, outlining the action taken by said board.

Before any license is revoked, or suspended, or any fines levied, the licentiate must be given notice in writing of the charge or charges against him. At a day specified in said notice, at least twenty days after the service thereof, he must be afforded a fair hearing by the hearing board, and given full opportunity to produce testimony in his behalf and to confront the witnesses against him. Such charges shall be verified with the oath of the person making same, and a copy thereof shall be served in the manner provided by law for service of summons in civil actions.

The hearing shall be conducted by the hearing board at a date, time, and place as designated by the director. The hearing board shall be the sole judge of the charge or charges and the evidence produced, and the decision of any two members of the board shall be the decision of the board. If the charges are sustained in the judgment of the board, it may direct the revocation or suspension of such license, or a fine, or both as provided by this law.

The director of licensing is hereby granted the right of subpoena to require the attendance of witnesses and the production of pertinent records; such witnesses shall be entitled to fees and mileage as provided by law.

Any person feeling himself aggrieved by the fine, revocation, or suspension under this chapter, shall have the right to appeal from the decision of the hearing board to the superior court of the county in which he maintains his place of business.

Sec. 24. Section 2, chapter 168, Laws of 1953 as last amended by section 12, chapter 225, Laws of 1982 and RCW 18.18.104 are each amended to read as follows:

(1) The secretary of the examining committee shall keep a record of all the proceedings of the committee. The committee shall meet in order to hold examinations and to conduct any other proper business. The committee shall set a schedule for such meetings a year in advance. The principal office of the committee shall be and is hereby established in Olympia, Washington. A majority of the committee in a duly assembled meeting may exercise all the powers devolving upon the committee. For any urgent purpose a special meeting may be called. Notice from the secretary signed by three members of the committee may convene the committee for a special meeting. The secretary shall notify each licensed cosmetology school by mail with a specific agenda. Only business specified in the notice shall be transacted. The secretary shall arrange for and conduct all examinations called for under the provisions of this chapter. The secretary shall deliver all records and findings of the examining committee as a result of examinations and hearings to the director.

(2) The secretary shall have a full-time position with a salary to conform with standards set by the department of licensing for similar positions. The secretary shall be reimbursed for travel expenses incurred in the actual performance of his duties in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended. Each appointed))~~. Members of the committee shall ((receive as compensation forty-five dollars for each day in which the member is officially engaged in business or duties of the committee)) be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)); PROVIDED, HOWEVER, That all salaries, compensation, and travel expenses shall come from the license and application fees collected pursuant to this chapter.

Sec. 25. Section 14, chapter 3, Laws of 1965 ex. sess. as last amended by section 9, chapter 75, Laws of 1977 and RCW 18.18.251 are each amended to read as follows:

A hearing board is hereby established and shall consist of three members to be appointed by the governor in the following manner: One member qualified by at least six years' experience in the cosmetology industry for a six year term; one member from licensed Washington state cosmetology schools for a four year term; and one member who is unaffiliated with any of the foregoing associations for a two year term. Thereafter the terms of the members shall be for six years and until their successors are appointed and qualified. The governor shall fill any vacancy on the board within ninety days after it occurs by an appointment for the remainder of the unexpired term.

The board shall select one of its members as its chairman. Meetings shall be held as often as shall be necessary for the board to perform its duties. All members shall be present before

business may be transacted. The director of licensing shall exercise direct supervision over the board's activities and the board shall file such periodic and special reports with the director outlining its activities as the director may require.

Each member of the board shall ~~((receive as compensation for his attendance at hearings or other proper meetings thirty-five dollars for each day or part of a day's attendance))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)); PROVIDED, HOWEVER, That all compensation and travel expenses shall come from the license and application fees collected pursuant to this chapter.

Sec. 26. Section 9, chapter 21, Laws of 1982 and RCW 18.22.014 are each amended to read as follows:

The board shall meet at the places and times it determines and as often as necessary to discharge its duties. The board shall elect a chairperson from among its members. ~~((each))~~ Members shall ((receive fifty dollars a day for each day actually spent in the performance of official duties and in traveling to and from the place of performance)) be compensated in accordance with section 4 of this 1984 act in addition to travel expenses provided by RCW 43.03.050 and 43.03.060 ((as now or hereafter amended)).

Sec. 27. Section 2, chapter 53, Laws of 1959 as last amended by section 32, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.25.017 are each amended to read as follows:

The board shall meet as soon as practicable after appointment, and shall elect a chairman and a secretary from its members. Meetings shall be held at least once a year at such place as the director of licensing shall determine, and at such other times and places as he deems necessary.

The board may make such rules and regulations, not inconsistent with this chapter, as it deems necessary to carry out the provisions of this chapter.

Each member shall ~~((receive thirty-five dollars a day for each day actually engaged in conducting examinations or in the preparation of examination questions or the grading of examination papers, together with))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)), all to be paid out of the general fund on vouchers approved by the director, but not to exceed in the aggregate the amount of fees collected as provided in this chapter.

Members of the board shall be immune from suit in any action, civil or criminal, based upon their duties or other official acts performed in good faith as members of such board.

Sec. 28. Section 2, chapter 46, Laws of 1980 and RCW 18.26.070 are each amended to read as follows:

Members of the board may be ~~((paid thirty-five dollars for each day spent in performing their duties as members of the board))~~ compensated in accordance with section 4 of this 1984 act and may be paid their travel expenses while engaged in the business of the board in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)), with such reimbursement to be paid out of the general fund on vouchers signed by the director of licensing.

Sec. 29. Section 14, chapter 168, Laws of 1983 and RCW 18.29.031 are each amended to read as follows:

The director of licensing shall appoint a committee of three licensed dental hygienists to prepare and conduct examinations for dental hygiene licensure. The committee shall require an applicant for licensure to pass an examination consisting of written and practical tests upon such subjects and of such scope as the committee determines. The standards for passage of the examination shall be set by the committee. Members of the committee shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

At least two examinations shall be given each calendar year in conjunction with examinations for licensure of dentists under chapter 18.32 RCW.

Sec. 30. Section 3, chapter 93, Laws of 1953 as last amended by section 3, chapter 38, Laws of 1979 and RCW 18.32.050 are each amended to read as follows:

The members of the board shall each ~~((receive as compensation the sum of twenty-five dollars for each day actually engaged in the duties of the office, and))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses incurred in attending the meetings of the board in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)). Board members shall be compensated and reimbursed pursuant to this section for their activities in administering a multi-state licensing examination pursuant to the board's compact or agreement with another state or states or with organizations formed by several states; PROVIDED, That any compensation or reimbursement received by a board member from another state, or organization formed by several states, for such member's services in administering a multi-state licensing examination, shall be deposited in the state general fund.

Sec. 31. Section 10, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.600 are each amended to read as follows:

Members of the board shall be ~~((paid thirty-five dollars per day for time spent in performing their duties as members of the board))~~ compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 ~~((as now or hereafter amended))~~ while engaged in business of the board.

Sec. 32. Section 5, chapter 43, Laws of 1957 and RCW 18.34.050 are each amended to read as follows:

The examining committee shall consist of three persons primarily engaged in the business of dispensing opticians and who currently hold a valid license under this chapter. Members of the committee shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 33. Section 15, chapter 106, Laws of 1973 1st ex. sess. as last amended by section 12, chapter 39, Laws of 1983 and RCW 18.35.150 are each amended to read as follows:

(1) There is created hereby the council on hearing aids. The council shall consist of nine members to be appointed by the governor.

(2) Members of the council shall be residents of this state. Five members shall be persons experienced in the fitting of hearing aids who shall hold valid licenses under this chapter. One member shall be a medical doctor specializing in diseases of the ear. One member shall be a nondispensing audiologist. Two members shall represent the public.

(3) The term of office of a member is three years, except that the governor may appoint the initial members to one or two year terms to ensure an orderly succession of members. A member shall continue to serve until a successor has been appointed and qualifies. Before a member's term expires, the governor shall appoint a successor to assume his duties at the expiration of his predecessor's term. A vacancy in the office of a member shall be filled by appointment for the unexpired term.

(4) The chairman of the council shall be elected from the membership of the council at the beginning of each year.

(5) The council shall meet at least once each year, at a place, day and hour determined by the council, unless otherwise directed by a majority of council members. The council shall also meet at such other times and places as are requested by the department or by three members of the council.

(6) Members of the council shall be compensated ~~((for their services at the rate of thirty-five dollars per day for each day or part thereof spent conducting meetings, hearings, or other official business;))~~ in accordance with section 4 of this 1984 act and shall be reimbursed for their travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 34. Section 9, chapter 93, Laws of 1977 ex. sess. as amended by section 11, chapter 43, Laws of 1981 and RCW 18.39.175 are each amended to read as follows:

Each member of the board of funeral directors and embalmers shall ~~((receive compensation of twenty-five dollars for each board meeting attended, together with))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in connection with board duties in accordance with RCW 43.03.050 and 43.03.060.

The state board of funeral directors and embalmers shall have the following duties and responsibilities:

(1) To be responsible for the preparation, conducting, and grading of examinations of applicants for funeral director and embalmer licenses;

(2) To certify to the director the results of examinations of applicants and certify the applicant as having 'passed' or 'failed';

(3) To make findings and recommendations to the director on any and all matters relating to the enforcement of this chapter;

(4) To adopt, promulgate, and enforce reasonable rules; and

(5) To suspend or revoke any license, after proper hearing and notice to the licensee, if the licensee has committed any of the following:

(a) A crime involving moral turpitude and resulting in a conviction;

(b) Unprofessional conduct, which includes:

(i) Misrepresentation or fraud in the conduct of the business or the profession of a funeral director or embalmer;

(ii) False or misleading advertising as a funeral director or embalmer;

(iii) Solicitation of human dead bodies by the licensee, his agents, assistants or employees, whether the solicitation occurs after death or while death is impending. This chapter does not prohibit general advertising or the sale of pre-need funeral plans;

(iv) Employment by the licensee of persons known as 'cappers,' 'steerers,' or 'solicitors' or other persons to obtain funeral directing or embalming business;

(v) Employment directly or indirectly of any person for the purpose of calling upon individuals or institutions by whose influence dead human bodies may be turned over to a particular funeral director or embalmer;

(vi) The buying of business by the licensee, his agents, assistants or employees, or the direct or indirect payment or offer of payment of a commission by the licensee, his agents, assistants, or employees, for the purpose of securing business;

- (vii) Aiding or abetting an unlicensed person to practice funeral directing or embalming;
- (viii) Solicitation or acceptance by a licensee of any commission or bonus or rebate in consideration of recommending or causing a dead human body to be disposed of in any crematory, mausoleum, or cemetery;
- (ix) Using any casket or part of a casket which has previously been used as a receptacle for, or in connection with, the burial or other disposition of a dead human body without the written consent of next of kin;
- (x) Violation of any of the provisions of this chapter or the rules in support thereof;
- (xi) Violation of any state law or municipal or county ordinance or regulation affecting the handling, custody, care, or transportation of dead human bodies;
- (xii) Fraud or misrepresentation in obtaining a license;
- (xiii) Refusing to promptly surrender the custody of a dead human body upon the express order of the person lawfully entitled to its custody;
- (xiv) Selling, or offering for sale, a share, certificate, or an interest in the business of any funeral director or embalmer, or in any corporation, firm, or association owning or operating a funeral establishment, which promises or purports to give to purchasers a right to the services of the funeral director, embalmer, or corporation, firm, or association at a charge or cost less than that offered or given to the public; or
- (xv) Knowingly concealing information concerning a violation of this chapter.

Sec. 35. Section 3, chapter 283, Laws of 1947 as amended by section 37, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.43.030 are each amended to read as follows:

A state board of registration for professional engineers and land surveyors is hereby created which shall exercise all of the powers and perform all of the duties conferred upon it by this chapter. The board shall consist of five registered professional engineers, who shall be appointed by the governor and shall have the qualifications as hereinafter required. The members of the first board shall be appointed within thirty days after ~~(the effective date of this act)~~ June 11, 1947, to serve for the following terms: One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Every member of the board shall receive a certificate of his appointment from the governor and before beginning his term of office shall file with the secretary of state his written oath or affirmation for the faithful discharge of his official duty. On the expiration of the term of any member, the governor shall in the manner hereinbefore provided appoint for a term of five years a registered professional engineer having the qualifications as hereinafter required, to take the place of the member whose term on said board is about to expire. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been duly appointed and shall have qualified.

Each member of the board shall be a citizen of the United States and shall have been a resident of this state for at least five years immediately preceding his appointment, and shall have been engaged in the practice of the profession of engineering for at least twelve years, and shall have been in responsible charge of important engineering work for at least five years. Responsible charge of engineering teaching may be construed as responsible charge of important engineering work.

Each member of the board shall ~~((receive the sum of twenty-five dollars each day when actually attending to the work of the board or any of its committees and for the time spent in necessary travel;))~~ be compensated in accordance with section 4 of this 1984 act and, in addition thereto, shall be reimbursed for travel expenses incurred in carrying out the provisions of this chapter in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

The governor may remove any member of the board for misconduct, incompetency, or neglect of duty. Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor as hereinabove provided.

NEW SECTION. Sec. 36. There is added to chapter 18.44 RCW a new section to read as follows:

There is established an escrow commission of the state of Washington, to consist of the director of licensing as ex officio member and chairman, and five members who shall act as advisors to the director as to the needs of the escrow profession and who shall be appointed by the governor, each of whom shall have been a resident of this state for at least five years and shall have at least five years experience in the practice of escrow as an escrow agent or as a person in responsible charge of escrow transactions.

The members of the first commission shall serve for the following terms: One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Every member of the commission shall receive a certificate of appointment from the governor and before beginning the member's term of office shall file with the secretary of state a written oath or affirmation for the faithful discharge of the member's official duties. On the expiration of the term of each member, the governor shall appoint

a successor to serve for a term of five years or until the member's successor has been appointed and qualified.

The governor may remove any member of the commission for cause. Vacancies in the commission for any reason shall be filled by appointment for the unexpired term.

Members shall be compensated in accordance with section 4 of this 1984 act, and shall be reimbursed for their travel expenses incurred in carrying out the provisions of this chapter in accordance with RCW 43.03.050 and 43.03.060.

Sec. 37. Section 29, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.215 are each amended to read as follows:

The ~~((four))~~ escrow commission members shall each ~~((receive fifty dollars per day for each day engaged in official business of the commission, plus))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses as provided for state officials and employees in RCW 43.03.050 and 43.03.060, when called into session by the director or when otherwise engaged in the business of the commission.

Sec. 38. Section 20, chapter 153, Laws of 1965 and RCW 18.44.900 are each amended to read as follows:

~~RCW 2.48.180 does not apply to certified escrow agents and escrow officers, but nothing in this chapter shall be so construed as to authorize any escrow agent or escrow officer, or ((his)) their employees or agents, to engage in the practice of law, and nothing in this chapter shall be so construed as to impose any additional liability on any depository authorized by this chapter and the receipt or acquittance of the persons so paid by such depository shall be a valid and sufficient release and discharge of such depository.~~

Sec. 39. Section 11, chapter 117, Laws of 1951 as last amended by section 65, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.100 are each amended to read as follows:

The governor shall appoint ~~((an))~~ a nursing home advisory council. The council shall be comprised of:

~~((a))~~ (1) Five members of the general public who are not owners or employees of a nursing home or engaged by a nursing home. Of these five members, one shall be a representative of senior citizens, one shall be a representative of a health care consumer group, and one shall be a licensed certified public accountant;

~~((b))~~ (2) Three members who are nursing home operators, one of whom shall operate a nonprofit nursing home;

~~((c))~~ (3) One member of the association of nursing home administrators;

~~((d))~~ (4) One member of the state medical association; and

~~((e))~~ (5) One member of the state nurses association.

The governor shall choose one of the five members from the general public to be chairman of the advisory nursing home council. Each member of the council shall receive ~~((twenty-five dollars per day as compensation for each day spent upon official business of the council and))~~ travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. Each member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first taking office shall expire, as designated at the time of appointment, two at the end of the first year, three at the end of the second year, three at the end of the third year, and two at the end of the fourth year after the date of appointment. Thereafter all appointments shall be for four years. The council shall meet as frequently as the chairman deems necessary, but not less than quarterly each year. Upon request by four or more members, it shall be the duty of the chairman to call a meeting of the council.

Sec. 40. Section 6, chapter 57, Laws of 1970 ex. sess. as last amended by section 45, chapter 158, Laws of 1979 and RCW 18.52.060 are each amended to read as follows:

The board shall elect from its membership a chairman, vice chairman, and secretary-treasurer, and shall adopt rules and regulations to govern its proceedings. The chairman or four board members by signed written request may call board meetings upon reasonable written notice to each member. Each member shall ~~((receive twenty-five dollars for each day or major portion thereof actually spent on official business, plus))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. A full-time or part-time executive secretary for the board may be employed by the director through the department of licensing, and the director through the department of licensing shall provide the executive secretary and the board with such secretarial, administrative, and other assistance as may be required to carry out the purposes of this chapter. Employment of an executive secretary shall be subject to confirmation by the board. The position of executive secretary shall be exempt from the requirements of chapter 41.06 RCW.

Sec. 41. Section 13, chapter 25, Laws of 1963 as last amended by section 39, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.54.130 are each amended to read as follows:

Members of the board are entitled to receive their travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. Each member of the

board will also be ~~((paid twenty-five dollars for each day or portion thereof spent in discharge of his official duties)) compensated in accordance with section 4 of this 1984 act.~~

Sec. 42. Section 2, chapter 117, Laws of 1979 and RCW 18.57.003 are each amended to read as follows:

There is hereby created an agency of the state of Washington, consisting of seven individuals appointed by the governor to be known as the Washington state board of osteopathic medicine and surgery.

The members of the first board shall be appointed to serve the following terms from the date of their appointment: Two members for two years, two members for three years, and three members for five years, or until their successors are appointed and fully qualified. The respective terms of office of such initial appointees shall be designated by the governor at the time of appointment. On expiration of the term of any member, the governor shall appoint for a period of five years an individual of similar qualifications to take the place of such member. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been appointed and shall have qualified. Initial appointments shall be made and vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor.

Each member of the board shall be a citizen of the United States and must be an actual resident of this state. One member shall be a consumer who has neither a financial nor a fiduciary relationship to a health care delivery system, and every other member must have been in active practice as a licensed osteopathic physician and surgeon in this state for at least five years immediately preceding appointment.

The board shall meet as soon as practicable after appointment and elect a chairman and a secretary from its members. Meetings of the board shall be held at least four times a year and at such place as the board shall determine and at such other times and places as the board deems necessary.

It shall require the affirmative vote of a majority of all the members of the board to take any official action.

Each member of the board ~~((may receive the sum of twenty-five dollars per day as compensation for each day or fraction thereof spent on official business and)) shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).~~

Any member of the board may be removed by the governor for neglect of duty, misconduct, malfeasance or misfeasance in office, or upon written request of two-thirds of the physicians licensed under this chapter and in active practice in this state.

Sec. 43. Section 2, chapter 98, Laws of 1935 as last amended by section 1, chapter 90, Laws of 1979 and RCW 18.64.003 are each amended to read as follows:

Members of the board shall meet at such places and times as it shall determine and as often as necessary to discharge the duties imposed upon it. The board shall elect a chairperson and a vice chairperson from among its members. Each member shall ~~((receive forty dollars a day for each day actually spent in the performance of his or her official duties and in going to and returning from the place of such performance, together with)) be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).~~

Sec. 44. Section 2, chapter 284, Laws of 1961 as last amended by section 52, chapter 158, Laws of 1979 and RCW 18.71.015 are each amended to read as follows:

There is hereby created a board of medical examiners consisting of six individuals licensed to practice medicine in the state of Washington and one individual who is not a physician, to be known as the Washington state board of medical examiners.

The board shall be appointed by the governor. The members of the first board shall be appointed within thirty days after March 21, 1961, to serve the following terms: One member for one year, one member for two years, one member for three years, one member for four years, one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. On expiration of the term of any member, the governor shall appoint for a period of five years an individual of similar qualifications to take the place of such member. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been appointed and shall have qualified.

Each member of the board shall be a citizen of the United States, must be an actual resident of this state, and, if a physician, must have been licensed to practice medicine in this state for at least five years.

The board shall meet as soon as practicable after appointment and elect a chairman and a secretary from its members. Meetings shall be held at least four times a year and at such place as the board shall determine and at such other times and places as the board deems necessary.

It shall require the affirmative vote of a majority of the members of the board to carry any motion or resolution, to adopt any rule, to pass any measure, or to authorize or deny the issuance of any certificate.

Each member of the board shall ~~((receive the sum of forty dollars for each day actually attending to the work of the board or any of its committees and for the time spent in necessary travel:))~~ be compensated in accordance with section 4 of this 1984 act and in addition thereto shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. Any such expenses shall be paid from funds appropriated to the department of licensing.

Any member of the board may be removed by the governor for neglect of duty, misconduct, or malfeasance or misfeasance in office.

Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor.

Sec. 45. Section 10, chapter 202, Laws of 1955 as last amended by section 3, chapter 111, Laws of 1979 ex. sess. and RCW 18.72.100 are each amended to read as follows:

Members of the board shall be ~~((paid fifty dollars for each day spent in performing their duties as members of the board))~~ compensated in accordance with section 4 of this 1984 act and shall be repaid their travel expenses while engaged in business of the board in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. Such compensation and reimbursement for expenses shall be paid out of the general fund on vouchers approved by the director of licensing.

Sec. 46. Section 2, chapter 239, Laws of 1949 as last amended by section 3, chapter 116, Laws of 1983 and RCW 18.74.020 are each amended to read as follows:

The state board of physical therapy is hereby created. The board shall consist of five members who shall be appointed by the governor. Of the initial appointments, two shall be appointed for a term of two years, two for a term of three years, and one for a term of four years. Thereafter, all appointments shall be for terms of four years. Four members of the board shall be physical therapists licensed under this chapter and residing in this state, shall have not less than five years' experience in the practice of physical therapy, and shall be actively engaged in practice within two years of appointment. The fifth member shall be appointed from the public at large, shall have an interest in the rights of consumers of health services, and shall not be or have been a member of any other licensing board, a licensee of any health occupation board, an employee of any health facility nor derive his primary livelihood from the provision of health services at any level of responsibility. In the event that a member of the board for any reason cannot complete his term of office, another appointment shall be made by the governor in accordance with the procedure stated above to fill the remainder of the term. No member may serve for more than two successive four-year terms.

The director of licensing shall furnish such secretarial, clerical and other assistance as the board may require. Each member of the board shall, in addition to travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended, receive compensation for each day actually engaged in the discharge of his duties: PROVIDED, HOWEVER, That such compensation shall not exceed fifty dollars per day))~~, be compensated in accordance with section 4 of this 1984 act.

Sec. 47. Section 4, chapter 222, Laws of 1949 as last amended by section 5, chapter 55, Laws of 1983 and RCW 18.78.040 are each amended to read as follows:

Each board member shall ~~((receive fifty dollars for each day engaged in the discharge of his or her duties as a member of the board:))~~ be compensated in accordance with section 4 of this 1984 act and shall be paid travel expenses while away from home in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. The members of the board shall appoint a chairman and a secretary from among its entire members, who shall serve until his or her successor is appointed by the board.

Sec. 48. Section 21, chapter 70, Laws of 1965 as last amended by section 10, chapter 168, Laws of 1983 and RCW 18.83.051 are each amended to read as follows:

Each member of the board shall ~~((receive the sum of twenty-five dollars for each day actually attending to the work of the board or any of its committees and for the time spent in necessary travel:))~~ be compensated in accordance with section 4 of this 1984 act and in addition thereto shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 49. Section 14, chapter 252, Laws of 1941 as last amended by section 49, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.85.080 are each amended to read as follows:

The six board members of the commission shall ~~((receive as compensation twenty-five dollars for each day actually spent on official business))~~ be compensated in accordance with section 4 of this 1984 act, plus travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~ when they shall be called into session by the director or when presiding at examinations for applicants for licenses or when otherwise engaged in the business of the commission.

Sec. 50. Section 8, chapter 202, Laws of 1949 as last amended by section 12, chapter 75, Laws of 1977 and RCW 18.88.080 are each amended to read as follows:

The board may adopt such rules and regulations not inconsistent with the law, as may be necessary to enable it to carry into effect the provisions of this chapter. The board shall

approve curricula and shall establish criteria for minimum standards for schools preparing persons for licensure under this chapter. It shall keep a record of all its proceedings and make such reports to the governor as may be required. The board shall define by regulation what constitutes specialized and advanced levels of nursing practice as recognized by the medical and nursing professions. The board may adopt regulations in response to questions put to it by professional health associations, nursing practitioners, and consumers in this state concerning the authority of various categories of nursing practitioners to perform particular acts.

The board shall approve such schools of nursing as meet the requirements of this chapter and the board, and the board shall approve establishment of basic nursing education programs and shall establish criteria as to the need for and the size of a program and the type of program and the geographical location. The board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years nonpracticing status. The board shall establish criteria for licensure by endorsement. The board shall examine all applications for registration under this chapter, and shall certify to the director for licensing duly qualified applicants.

The department shall furnish to the board such secretarial, clerical and other assistance as may be necessary to effectively administer the provisions of this chapter. Each member of the board shall, in addition to travel expenses in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~), while away from home, ~~(receive twenty-five dollars compensation for each and every day engaged in the discharge of his or her duties)~~ be compensated in accordance with section 4 of this 1984 act.

Sec. 51. Section 13, chapter 124, Laws of 1907 as last amended by section 4, chapter 102, Laws of 1983 and RCW 18.92.040 are each amended to read as follows:

Each member of the board shall ~~(receive twenty-five dollars per day as compensation for each day spent upon official business of the board, and)~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~). No expense may be incurred by members of the board except in connection with board meetings without prior approval of the director.

Sec. 52. Section 5, chapter 158, Laws of 1969 ex. sess. as amended by section 54, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.96.050 are each amended to read as follows:

The members of the first board shall serve for the following terms:

One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years from the date of appointment or until successors are duly appointed and qualified. Every member of the board shall receive a certificate of his appointment from the governor, and before beginning his term of office shall file with the secretary of state his written oath or affirmation for the faithful discharge of his official duties. On the expiration of the term of each member, the governor shall appoint a successor to serve for a term of five years, or until his successor has been appointed and qualified: PROVIDED, That no member shall serve more than ten consecutive years.

The governor may remove any member of the board for cause. Vacancies in the board for any reason shall be filled by appointment for the unexpired term. In carrying out the provisions of this chapter, the members of the board shall ~~(receive twenty-five dollars per day as compensation)~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses according to the provisions of RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~), such funds to be provided from the landscape architects' account in the state general fund.

Sec. 53. Section 2, chapter 280, Laws of 1975 1st ex. sess. as amended by section 57, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.108.020 are each amended to read as follows:

The state massage examining board is hereby created. The board shall consist of three members who shall be appointed by the governor for a term of three years each. ~~(Each member)~~ Members shall be (~~(a)~~) residents of this state and shall have not less than three years experience in the practice of massage immediately preceding their appointment and shall be actively engaged in the practice of massage during their incumbency. Within thirty days after September 8, 1975, three members shall be appointed by the governor to serve one, two, and three years respectively. In the event that a member cannot complete his term of office, another appointment shall be made by the governor in accordance with the procedures stated in this section to fill the remainder of the term. No member may serve more than two successive terms and shall qualify and receive a license pursuant to ~~(section 7, chapter 280, Laws of 1975 1st ex. sess.)~~ this chapter within ninety days of their appointment.

Subject to the approval of the director, the board shall have the power to promulgate rules and regulations not inconsistent with the law and which may be necessary for the performance of its duties. It shall be the duty of the board to pass upon the qualifications of applicants for licenses, prepare the necessary examination questions and practical demonstrations, conduct examinations from time to time in such places as the director designates, and to determine the applicants who successfully passed the examination, and in turn notify the director of such determinations.

Each member of the board shall ~~((receive as compensation twenty-five dollars for each day's attendance at meetings of the board))~~ be compensated in accordance with section 4 of this 1984 act. Members shall be reimbursed for travel expenses incurred in the actual performance of their duties, as provided in RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 54. Section 22, chapter 253, Laws of 1971 ex. sess. as amended by section 58, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.16.310 are each amended to read as follows:

Each member of the board appointed by the governor shall ~~((receive as compensation twenty-five dollars for each day, or portion thereof, in which he is actually engaged in the official business and duties of the board))~~ be compensated in accordance with section 4 of this 1984 act and in addition thereto shall be reimbursed for travel expenses incurred while on official business of the board and in attending meetings thereof, in accordance with the provisions of RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 55. Section 7, chapter 96, Laws of 1974 ex. sess. as amended by section 59, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.070 are each amended to read as follows:

There is hereby established a state building code advisory council to be appointed by the governor.

(1) The state building code advisory council shall consist of the director of the department of labor and industries, or his designee, and the insurance commissioner, or his designee, and thirteen additional members who shall be broadly representative of the general public, local government, and of the industries and professions concerned with building design and construction. The council may include state officials as ex officio, nonvoting members. The board shall report annually to the governor and the legislature on the operation and administration of this chapter.

(2) Members shall be compensated in accordance with section 4 of this 1984 act and shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 56. Section 5, chapter 207, Laws of 1963 as last amended by section 60, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.065 are each amended to read as follows:

There is hereby created an electrical advisory board, consisting of seven members to be appointed by the governor with the advice of the director of labor and industries as herein provided. It shall be the purpose and function of the board to advise the director on all matters pertaining to the enforcement of this chapter including, but not limited to standards of electrical installation, minimum inspection procedures, and the adoption of rules and regulations pertaining to the electrical inspection division: PROVIDED, HOWEVER, That no rules or regulations shall be amended or repealed until the electrical advisory board has first had an opportunity to consider any proposed amendments or repeals and had an opportunity to make recommendations to the director relative thereto. The members of the electrical advisory board shall be selected and appointed as follows: One member shall be an employee or officer of a corporation or public agency generating or distributing electric power; one member shall be an employee or officer of a corporation or firm engaged in the business of making electrical installations; one member shall be an employee, or officer, or representative of a corporation or firm engaged in the business of manufacturing or distributing electrical materials, equipment, or devices; one member shall be a person not related to the electrical industry to represent the public; one member shall be a recognized electrician; one member shall be a licensed professional engineer qualified to do business in the state of Washington; and one member shall be the state chief electrical inspector. Each of the members except the public member and the chief electrical inspector shall be appointed by the governor from among a list of individuals nominated by nonprofit organizations or associations representing individuals, corporations, or firms engaged in the business classification from which such member shall be selected. The regular term of each member shall be four years: PROVIDED, HOWEVER, The original board shall be appointed for the following terms: The first term of the member representing a corporation or public agency generating or distributing electric power shall serve four years; the member representing the installer of electrical equipment or appliances shall serve three years; the member representing a manufacturer or distributor of electrical equipment or devices shall serve three years; the member representing the public shall serve two years; the member selected as the recognized electrician shall serve for two years; the member selected as the licensed professional electrical engineer shall serve for one year. Thereafter, the governor shall appoint or reappoint board members for terms of four years and to fill vacancies created by the completion of the terms of the original members. The governor shall also fill vacancies caused by death, resignation, or otherwise for the unexpired term of such members by appointing their successors from the same business classification. The same procedure shall be followed in making such subsequent appointments as is provided for the original appointments. The board, at this first meeting shall elect one of its members to serve as chairman. Any person acting as the chief electrical inspector shall serve as secretary of the board during his tenure as chief state inspector. Meetings of the board shall be called at the discretion of the director of labor and industries. Each member of the board shall ~~((be paid~~

twenty-five dollars for each day or portion thereof that the board is in session and each member shall) receive (~~in addition thereto~~) travel expenses in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~) which shall be paid out of the electrical license fund, upon vouchers approved by the director of labor and industries.

Sec. 57, Section 2, chapter 188, Laws of 1974 ex. sess. as last amended by section 1, chapter 79, Laws of 1977 ex. sess. and RCW 19.28.123 are each amended to read as follows:

There is hereby created a board of electrical examiners consisting of nine members to be appointed by the governor. It shall be the purpose and function of this board to establish in addition to a general electrical contractors' license, such classifications of specialty electrical contractors' licenses as it deems appropriate with regard to individual sections pertaining to state adopted codes in chapter 19.28 RCW. In addition, it shall be the purpose and function of this board to establish and administer written examinations for general electrical contractors' qualifying certificates and the various specialty electrical contractors' qualifying certificates. Examinations shall be designed to reasonably insure that general and specialty electrical contractor's qualifying certificate holders are competent to engage in and supervise the work covered by this statute and their respective licenses. The examinations shall include questions from the following categories to assure proper safety and protection for the general public: (1) Safety, (2) state electrical code, and (3) electrical theory. It shall be the further purpose and function of this board to advise the director as to the need of additional electrical inspectors and compliance officers to be utilized by the director on either a full-time or part-time employment basis. Meetings of the board shall be held quarterly on the first Monday of February, May, August, and November of each year. Each member of the board shall be (~~paid twenty-five dollars for each day or portion thereof that the board is in session~~) compensated in accordance with section 4 of this 1984 act, and each member shall also receive travel expenses as provided in RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~), which shall be paid out of the electrical license fund, upon vouchers approved by the director of labor and industries.

Sec. 58, Section 1, chapter 5, Laws of 1941 as last amended by section 66, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 27.04.020 are each amended to read as follows:

A state library commission is hereby created which shall consist of the superintendent of public instruction, who shall be ex officio chairman of (~~said~~) the commission, and four commissioners appointed by the governor, one of whom shall be a library trustee at the time of appointment and one a certified librarian actually engaged in library work at the time of appointment. The first appointments shall be for terms of one, two, three, and four years respectively, and thereafter one commissioner shall be appointed each year to serve for a four year term. Vacancies shall be filled by appointments for the unexpired terms. Each commissioner shall (~~serve without salary or other compensation for his services, but~~) be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses incurred in the actual performance of their duties in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 59, Section 11, chapter 119, Laws of 1935 as amended by section 12, chapter 106, Laws of 1973 and RCW 27.08.010 are each amended to read as follows:

(1) There is hereby created a state board for the certification of librarians, which shall consist of the state librarian, the executive officer of the department of librarianship of the University of Washington, and one other member to be appointed by the governor for a term of three years from a list of three persons nominated by the executive committee of the Washington library association. The members of the board shall (~~serve without salary~~) be compensated in accordance with section 4 of this 1984 act, shall have authority to establish rules and regulations for their own government and procedure, and shall prescribe and hold examinations to test the qualifications of those seeking certificates as librarians.

(2) The board shall grant librarians' certificates without examination to applicants who are graduates of library schools accredited by the American library association for general library training, and shall grant certificates to other applicants when it has satisfied itself by examination that the applicant has attainments and abilities equivalent to those of a library school graduate and is qualified to carry on library work ably and efficiently.

(3) Any person not a graduate of a library school accredited by the American library association, but who has served as a librarian or a full-time professional assistant in any library in this state for at least one year or the equivalent thereof prior to midnight, June 12, 1935, shall be granted a librarian's certificate without examination, but such certificate shall be good only for the position specified therein, unless specifically extended by the board.

(4) The board shall require a fee of not less than one dollar nor more than five dollars to be paid by each applicant for a librarian's certificate. Money paid as fees shall be deposited with the state treasurer. All necessary expenses of the board shall be paid from funds appropriated by the legislature upon the presentation of proper vouchers approved by the board.

(5) After January 1, 1937, a library serving a community having over four thousand population shall not have in its employ, in the position of librarian or in any other full-time professional library position, a person who does not hold a librarian's certificate issued by the board.

(6) A full-time professional library position, as intended by this section, is one that requires, in the opinion of the state board for the certification of librarians, a knowledge of books and of library technique equivalent to that required for graduation from an accredited library school.

(7) The provisions in this section shall apply to every library serving a community having over four thousand population and to every library operated by the state or under its authority, including libraries of institutions of higher learning: PROVIDED, That nothing in this section shall apply to the state law library or to county law libraries.

Sec. 60. Section 28A.04.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 67, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.04.110 are each amended to read as follows:

The state board of education shall hold an annual meeting and such other regular meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business, such special meetings to be called by the superintendent of public instruction, or by a majority of the board. The persons serving as members of the state board of education shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed by the superintendent of public instruction for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)) incurred in the performance of their duties which expenses shall be paid by the state treasurer on warrants out of funds appropriated or otherwise available, upon the order of the superintendent.

Sec. 61. Section 28A.92.050, chapter 223, Laws of 1969 ex. sess. as amended by section 71, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.92.050 are each amended to read as follows:

Each member of the commission from the state of Washington shall be paid, from funds appropriated by the legislature of the state of Washington for that purpose, ~~((the sum of twenty-five dollars per day for each day or major part thereof devoted to the business of the commission, together with))~~ travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended. In no event shall such commissioner's payments for other than travel expenses exceed fifteen hundred dollars in any one year))~~. Such member may, regardless of any charter or statutory provision to the contrary, be an officer or employee holding another public position.

Sec. 62. Section 3, chapter 169, Laws of 1983 and RCW 28B.07.030 are each amended to read as follows:

(1) The Washington higher education facilities authority is hereby established as a public body corporate and politic, with perpetual corporate succession, constituting an agency of the state of Washington exercising essential governmental functions. The authority is a 'public body' within the meaning of RCW 39.53.010.

(2) The authority shall consist of seven members as follows: The governor, lieutenant governor, executive coordinator of the state council for postsecondary education, and four public members, one of whom shall be the president of a higher education institution at the time of appointment. The public members shall be residents of the state and appointed by the governor, subject to confirmation by the senate, on the basis of their interest or expertise in the provision of higher education and the financing of higher education. The public members of the authority shall serve for terms of four years. The initial terms of the public members shall be staggered in a manner determined by the governor. In the event of a vacancy on the authority due to death, resignation, or removal of one of the public members, and upon the expiration of the term of any public member, the governor shall appoint a successor for a term expiring on the fourth anniversary of the successor's date of the appointment. If any of the state offices are abolished, the resulting vacancy on the authority shall be filled by the state officer who shall succeed substantially to the power and duties of the abolished office. Any public member of the authority may be removed by the governor for misfeasance, malfeasance, wilful neglect of duty, or any other cause after notice and a public hearing, unless such notice and hearing shall be expressly waived in writing.

(3) The governor shall serve as chairperson of the authority. The authority shall elect annually one of its members as secretary. If the governor shall be absent from a meeting of the authority, the secretary shall preside. However, the governor may designate an employee of the governor's office to act on the governor's behalf in all other respects during the absence of the governor at any meeting of the authority. If the designation is in writing and is presented to the person presiding at the meetings of the authority who is included in the designation, the vote of the designee has the same effect as if cast by the governor.

(4) Any person designated by resolution of the authority shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute book or a journal of the authority, and the authority's official seal, if any. The person may cause copies to be made of all minutes and other records and documents of the authority, and may give certificates to the effect that such copies are true copies. All persons dealing with the authority may rely upon the certificates.

(5) Four members of the authority constitute a quorum. The authority may act on the basis of a motion except when authorizing the issuance and sale of bonds, in which case the authority shall act by resolution. Bond resolutions and other resolutions shall be adopted upon the affirmative vote of four members of the authority, and shall be signed by those members voting yes. Motions shall be adopted upon the affirmative vote of a majority of a quorum of members present at any meeting of the authority. All actions taken by the authority shall take effect immediately without need for publication or other public notice. A vacancy in the membership of the authority does not impair the power of the authority to act under this chapter.

(6) The members of the authority shall ~~((serve without compensation but))~~ be compensated in accordance with section 4 of this 1984 act and shall be entitled to reimbursement, solely from the funds of the authority, for travel expenses as determined by the authority incurred in the discharge of their duties under this chapter.

Sec. 63. Section 6, chapter 36, Laws of 1969 ex. sess. as last amended by section 19, chapter 338, Laws of 1981 and RCW 28B.16.060 are each amended to read as follows:

(1) There is hereby created a state higher education personnel board composed of three members appointed by the governor, subject to confirmation by the senate. The first such board shall be appointed within thirty days after the effective date of this chapter for terms of two, four, and six years. Each odd-numbered year thereafter the governor shall appoint a member for a six-year term. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed.

(2) Each member of the board shall be ~~((paid fifty dollars for each day in which he has actually attended a meeting of the board officially held. The members of the board may receive any number of daily payments for official meetings of the board actually attended))~~ compensated in accordance with section 5 of this 1984 act. Members of the board shall also be reimbursed for travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

(3) At its first meeting following the appointment of all of its members, and annually thereafter, the board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two members of the board shall constitute a quorum to transact business. A written public record shall be kept by the board of all actions of the board.

(4) The board shall appoint a personnel director who shall be the chief staff officer for the board. In preparing matters for consideration by the board and in coordinating the implementation of the board's rules and regulations, the personnel director shall work in conjunction with the campus personnel officers and their staffs at each institution of higher education, and in the case of community colleges, with the state board for community college education. When necessary, the personnel director may request the creation of task forces drawn from the four-year institutions of higher education, and representatives of the various state community colleges through the state board for community college education, for the accomplishment of any projects undertaken by the board. The director may employ necessary personnel for the board, and the board may appoint and compensate hearing officers to hear and conduct appeals. The board shall establish an office for the conduct of its business.

Sec. 64. Section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 30, Laws of 1982 1st ex. sess. and RCW 28B.50.050 are each amended to read as follows:

There is hereby created the 'state board for community college education', to consist of eight members, one from each congressional district, as now or hereafter existing, who shall be appointed by the governor, with the consent of the senate. The successors of the members initially appointed shall be appointed for terms of four years except that any persons appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of his successor. All members shall be citizens and bona fide residents of the state. No member of the college board shall be, during his term of office, also a member of the state board of education, a member of a K-12 board, a member of the governing board of any public or private educational institution, a member of a community college board of trustees, or an employee of any of the above boards, or have any direct pecuniary interest in education within this state.

The board shall not be deemed unlawfully constituted and a member of the board shall not be deemed ineligible to serve the remainder of the member's unexpired term on the board solely by reason of the establishment of new or revised boundaries for congressional districts.

~~((No))~~ Members of the college board shall ((receive any salary for his services, but)) be compensated in accordance with section 4 of this 1984 act and shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)) for each day actually spent in attending to ((his)) the duties as a member of the college board.

The members of the college board may be removed by the governor for inefficiency, neglect of duty, or malfeasance in office, in the manner provided by RCW 28B.10.500.

Sec. 65. Section 12, chapter 277, Laws of 1969 ex. sess. as amended by section 77, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.80.110 are each amended to read as follows:

Members of the council (~~will~~) shall be compensated in accordance with section 4 of this 1984 act and shall receive travel expenses in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 66. Section 8, chapter 174, Laws of 1975 1st ex. sess. as amended by section 79, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.070 are each amended to read as follows:

Members of the commission shall be compensated in accordance with section 4 of this 1984 act and will receive travel expenses in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 67. Section 52, chapter 283, Laws of 1969 ex. sess. as amended by section 76, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.300 are each amended to read as follows:

(1) There is hereby created a state advisory council on vocational education, hereinafter referred to as the 'advisory council', consisting of not less than thirteen members appointed by the governor, without regard to the civil service laws, for terms of three years, except that in the case of the initial members, at least four shall be appointed for terms of one year each and at least four shall be appointed for terms of two years each, and appointments to fill vacancies shall be only for such terms as remain unexpired. The advisory council shall include persons who are:

(a) Familiar with the vocational needs and the problems of management and labor in the state, and a person or persons representing state industrial and economic development agencies;

(b) Representative of community colleges and other institutions of higher learning, area vocational schools, technical institutes, and postsecondary or adult education agencies or institutions, which may provide programs of vocational or technical education and training;

(c) Familiar with the administration of state and local vocational education programs, and a person or persons having special knowledge, experience, or qualifications with respect to vocational education and who are not involved in the administration of state or local vocational education programs;

(d) Familiar with programs of technical and vocational education, including programs in comprehensive secondary schools;

(e) Representative of local educational agencies, and a person or persons who are representative of school boards;

(f) Representative of manpower and vocational education agencies in the state, including a person or persons from the comprehensive area manpower planning system of the state;

(g) Representing school systems with large concentrations of academically, socially, economically, and culturally disadvantaged students;

(h) Possessed of special knowledge, experience, or qualifications, with respect to the special educational needs of physically or mentally handicapped persons; and

(i) Representative of the general public, including a person or persons representative of and knowledgeable about the poor and disadvantaged, who are not qualified for membership under any of the preceding clauses of this paragraph.

The advisory council shall meet at least four times a year at the call of the chairman, who shall be selected by vote of the members (~~(-but not less than four times a year)~~).

(2) Members of the advisory council shall receive (~~(twenty-five dollars for each day or portion thereof spent in serving as a member of the advisory council and)~~) their travel expenses while engaged in the business of the advisory council in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 68. Section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 91, chapter 3, Laws of 1983 and RCW 41.05.025 are each amended to read as follows:

(1) There is hereby created a state employees' insurance board to be composed of the members of the present board holding office on the day prior to July 1, 1977, which such members shall serve until the expiration of the period of time of the term for which they were appointed and until their successors are appointed and qualified. Thereafter the board shall be composed as follows: The governor or the governor's designee; one administrative officer representing all of higher education to be appointed by the governor; two higher education faculty members to be appointed by the governor; the director of the department of personnel who shall act as trustee; one representative of an employee association certified as an exclusive representative of at least one bargaining unit of classified employees and one representative of an employee union certified as exclusive representative of at least one bargaining unit of classified employees, both to be appointed by the governor; one person who is retired and is covered by a program under the jurisdiction of the board, to be appointed by the governor; one member of the senate who shall be appointed by the president of the senate; and one member of the house of representatives who shall be appointed by the speaker of the house. The terms of office of the administrative officer representing higher education, the two higher education faculty members, the representative of an employee association, the retired person, and the representative of an employee union shall be for four years: PROVIDED, That the first term of one faculty member and one employee association or union representative

member shall be for three years. Meetings of the board shall be at the call of the director of personnel. The board shall prescribe rules for the conduct of its business and shall elect a chairman and vice chairman annually. Members of the board shall ~~((receive no compensation for their services, but))~~ be compensated in accordance with section 4 of this 1984 act and shall be paid for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)), and legislative members shall receive allowances provided for in RCW 44.04.120.

(2) The board shall study all matters connected with the providing of adequate health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any one of, or a combination of, the enumerated types of insurance and health care plans for employees and their dependents on the best basis possible with relation both to the welfare of the employees and to the state: PROVIDED, That liability insurance shall not be made available to dependents. The board shall design benefits, devise specifications, analyze carrier responses to advertisements for bids, determine the terms and conditions of employee participation and coverage, and decide on the award of contracts which shall be signed by the trustee on behalf of the board: PROVIDED, That all contracts for insurance, health care plans, including panel medicine plans, or protection applying to employees covered by RCW 28B.10.660 and chapters 41.04 and 41.05 RCW shall provide that the beneficiaries of such insurance, health care plans, or protection may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.88 RCW: PROVIDED FURTHER, That the boards of trustees and boards of regents of the several institutions of higher education shall retain sole authority to provide liability insurance as provided in RCW 28B.10.660. The board shall from time to time review and amend such plans. Contracts for all plans shall be rebid and awarded at least every five years.

(3) The board shall develop and provide as a part of the employee insurance benefit program an employee health care benefit plan which may be provided through a contract or contracts with regularly constituted insurance carriers or health care service contractors as defined in chapter 48.44 RCW, and a plan to be provided by a panel medicine plan in its service area only when approved by the board. The board may but shall not be required to pay more for health benefits under a panel medicine plan than it would otherwise be required to pay for health benefits by a contract with a regularly constituted insurance carrier or health care service contractor in effect at the time the panel medicine plan is included in the employee health care benefit plan. Except for panel medicine plans, the board may but is not required to contract with more than one insurance carrier or health care service contractor to provide similar benefits: PROVIDED, That employees may choose participation in only one of the health care benefit plans sponsored by the board. Active employees, as defined in RCW 41.05.010(2), eligible for medicare benefits shall have the option of continuing participation in health care programs on the same basis as all other employees or participation in medicare supplemental programs as may be developed by the board. These health care benefit plans shall provide coverage for all officials and employees and their dependents without premium or subscription cost to the individual employees and officials, unless the board approves a panel medicine plan at a subscription rate in excess of the premium of the regularly constituted insurance carrier or health care service contractor, in which circumstances an employee contribution may be authorized at an amount equal to such excess. Rates for self pay segments of state employee groups will be developed from the experience of the entire group. Such self pay rates will be established based on a separate rate for the employee, the spouse, and children.

(4) The board shall review plans proposed by insurance carriers who desire to offer property insurance and/or accident and casualty insurance to state employees through payroll deduction. The board may approve any such plan for payroll deduction by carriers holding a valid certificate of authority in the state of Washington and which the board determines to be in the best interests of employees and the state. The board shall promulgate rules setting forth criteria by which it shall evaluate the plans.

Sec. 69. Section 8, chapter 10, Laws of 1982 and RCW 41.06.110 are each amended to read as follows:

(1) There is hereby created a state personnel board composed of three members appointed by the governor, subject to confirmation by the senate. The first such board shall be appointed within thirty days after December 8, 1960, for terms of two, four, and six years. Each odd-numbered year thereafter the governor shall appoint a member for a six-year term. Each member shall continue to hold office after the expiration of the member's term until a successor has been appointed. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed:

(2) Each member of the board shall be ~~((paid fifty dollars for each day in which he has actually attended a meeting of the board officially held))~~ compensated in accordance with

section 5 of this 1984 act. The members of the board may receive any number of daily payments for official meetings of the board actually attended. Members of the board shall also be reimbursed for travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

(3) At its first meeting following the appointment of all of its members, and annually thereafter, the board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two members of the board shall constitute a quorum to transact business. A written public record shall be kept by the board of all actions of the board. The director of personnel shall serve as secretary.

(4) The board may appoint and compensate hearing officers to hear and conduct appeals until December 31, 1982. Such compensation shall be paid on a contractual basis for each hearing, in accordance with the provisions of chapter 43.88 RCW and rules adopted pursuant thereto, as they relate to personal service contracts.

Sec. 70. Section 4, chapter 263, Laws of 1955 as last amended by section 87, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.24.270 are each amended to read as follows:

Each member of the state board shall (~~receive twenty-five dollars per day for each day actually spent in attending meetings of the state board~~) be compensated in accordance with section 4 of this 1984 act. Each member shall also receive travel expenses, including going to and from meetings of the state board or other authorized business of the state board, in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 71. Section 2, chapter 5, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 146, Laws of 1979 ex. sess. and RCW 41.58.015 are each amended to read as follows:

(1) Each member of the commission shall be (~~paid one hundred dollars for each day during which the member attends a meeting of the commission officially held or attends to other business of the commission authorized by the commission~~) compensated in accordance with section 5 of this 1984 act. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 72. Section 1, chapter 167, Laws of 1982 as amended by section 2, chapter 54, Laws of 1983 and RCW 41.60.015 are each amended to read as follows:

(1) There is hereby created the productivity board. The board shall administer the employee suggestion program under this chapter and shall review applications for incentive pay for state employees under RCW 41.60.100, 41.60.110, and 41.60.120.

(2) The board shall be composed of:

- (a) The secretary of state who shall act as chairperson;
- (b) The director of personnel or the director's designee;
- (c) The director of financial management or the director's designee; and
- (d) Three persons with experience in administering incentives such as those used by

industry, with the governor, lieutenant governor, and speaker of the house of representatives each appointing one person. The governor's appointee shall be a representative of an employee organization certified as an exclusive representative of at least one bargaining unit of classified employees, but no one organization may be represented for two consecutive terms.

Initially, the person appointed by the governor shall serve a one-year term, the person appointed by the lieutenant governor shall serve a two-year term, and the person appointed by the speaker shall serve a three-year term. Thereafter, these members shall serve three-year terms.

Members of the board shall be compensated in accordance with section 4 of this 1984 act.

Sec. 73. Section 4, chapter 311, Laws of 1981 and RCW 41.64.030 are each amended to read as follows:

(1) The board shall operate on either a part-time or a full-time basis, as determined by the governor. If it is determined that the board shall operate on a full-time basis, each member of the board shall receive an annual salary to be determined by the governor pursuant to RCW 43.03.040(~~(-as now existing or hereafter amended)~~). If it is determined that the board shall operate on a part-time basis, each member of the board shall ~~((receive compensation of one hundred dollars for each day during which the member attends an official meeting of the board or performs statutorily prescribed duties approved by the chairperson. Such part-time compensation may not, however, exceed twelve thousand dollars for any one member in a fiscal year))~~ be compensated in accordance with section 5 of this 1984 act. Each board member shall receive reimbursement for travel expenses incurred in the discharge of his or her duties in accordance with RCW 43.03.050 and 43.03.060(~~(-as now existing or hereafter amended)~~).

(2) Members of the board shall report their financial affairs to the public disclosure commission pursuant to RCW 42.17.240(~~(-as now existing or hereafter amended)~~).

Sec. 74. Section 35, chapter 1, Laws of 1973 as last amended by section 15, chapter 147, Laws of 1982 and RCW 42.17.350 are each amended to read as follows:

There is hereby established a 'public disclosure commission' which shall be composed of five members who shall be appointed by the governor, with the consent of the senate. All appointees shall be persons of the highest integrity and qualifications. No more than three members shall have an identification with the same political party. The original members shall be appointed within sixty days after January 1, 1973. The term of each member shall be five years except that the original five members shall serve initial terms of one, two, three, four, and five years, respectively, as designated by the governor. No member of the commission, during his tenure, shall (1) hold or campaign for elective office; (2) be an officer of any political party or political committee; (3) permit his name to be used, or make contributions, in support of or in opposition to any candidate or proposition; (4) participate in any way in any election campaign; or (5) lobby or employ or assist a lobbyist: PROVIDED, That a member or the staff of the commission may lobby to the limited extent permitted by RCW 42.17.190 on matters directly affecting this chapter. No member shall be eligible for appointment to more than one full term. A vacancy on the commission shall be filled within thirty days of the vacancy by the governor, with the consent of the senate, and the appointee shall serve for the remaining term of his predecessor. A vacancy shall not impair the powers of the remaining members to exercise all of the powers of the commission. Three members of the commission shall constitute a quorum. The commission shall elect its own chairman and adopt its own rules of procedure in the manner provided in chapter 34.04 RCW. Any member of the commission may be removed by the governor, but only upon grounds of neglect of duty or misconduct in office.

~~((Each))~~ Members shall ~~((receive seventy-five dollars for each day or portion thereof spent in performance of his duties as a member of the commission;))~~ be compensated in accordance with section 5 of this 1984 act and in addition shall be reimbursed for travel expenses incurred while engaged in the business of the commission as provided in RCW 43.03.050 and 43.43.060 (~~(as now or hereafter amended)~~). The compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state.

Sec. 75. Section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030 are each amended to read as follows:

The state board of health shall be composed of six members. These shall be the secretary or his designee and five other persons to be appointed by the governor, including four persons experienced in matters of health and sanitation and one person representing the consumers of health care. The chairman shall be selected by the governor from among the five members appointed by him.

Members of the board shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 76. Section 18, chapter 62, Laws of 1970 ex. sess. as amended by section 100, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.21A.180 are each amended to read as follows:

The commission shall meet quarterly at a date and place of its choice, and at such other times as shall be designated by the director or upon the written request of a majority of the commission. Members of the commission shall be compensated in accordance with section 4 of this 1984 act and shall receive reimbursement for their travel expenses as provided in RCW 43.03.050 and 43.03.060(~~(-as now existing or hereafter amended)~~).

Sec. 77. Section 6, chapter 44, Laws of 1970 ex. sess. as last amended by section 104, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.22.475 are each amended to read as follows:

The governor shall appoint a factory built housing and factory built commercial structures advisory board consisting of eleven members. Members appointed shall be broadly representative of the industries and professions involved in the development and construction of factory built housing or factory built commercial structures and shall include representation from

building code enforcement agencies, architectural and engineering associations, building construction trades, the contracting and manufacturing industries, legislative bodies of local government, and the general public. The factory built housing and factory built commercial structures advisory board shall periodically review the rules promulgated under RCW 43.22-.450 through 43.22.490 and shall recommend changes of such rules to the department when it deems changes advisable. Members (~~may receive up to twenty-five dollars for each day or portion thereof actually spent in attending upon the duties of the board, the rate to be determined by the board, and in addition thereto;~~) shall be entitled to reimbursement for travel expenses as provided in RCW 43.03.050 and 43.03.060(~~as now existing or hereafter amended~~).

Sec. 78. Section 43.24.060, chapter 8, Laws of 1965 as last amended by section 15, chapter 227, Laws of 1982 and RCW 43.24.060 are each amended to read as follows:

(1) The director of licensing shall, from time to time, fix such times and places for holding examinations of applicants as may be convenient, and adopt general rules and regulations prescribing the method of conducting examinations.

The governor, from time to time, upon the request of the director of licensing, shall appoint examining committees, composed of three persons possessing the qualifications provided by law to conduct examinations of applicants for licenses to practice the respective professions or callings for which licenses are required.

The committees shall prepare the necessary lists of examination questions, conduct the examinations, which may be either oral or written, or partly oral and partly written, and shall make and file with the director of licensing lists, signed by all the members conducting the examination, showing the names and addresses of all applicants for licenses who have successfully passed the examination, and showing separately the names and addresses of the applicants who have failed to pass the examination, together with all examination questions and the written answers thereto submitted by the applicants.

Each member of a committee shall receive twenty-five dollars per day for each day spent in conducting the examination and in going to and returning from the place of examination, and travel expenses, in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

(2) The director of licensing may appoint advisory committees to advise the department regarding the preparation of examinations for professional licensing and such other specific aspects of regulating the professions within the jurisdiction of the department as the director may designate. Such a committee and its members shall serve at the pleasure of the director.

Each member of an advisory committee shall be compensated in accordance with section 4 of this 1984 act and shall receive reimbursement for travel expenses incurred in attending meetings of the committee in accordance with RCW 43.03.050 and 43.03.060.

Sec. 79. Section 43.24.110, chapter 8, Laws of 1965 as last amended by section 101, chapter 158, Laws of 1979 and RCW 43.24.110 are each amended to read as follows:

Whenever there is filed with the director of licensing any complaint charging that the holder of a license has been guilty of any act or omission which by the provisions of the law under which the license was issued would warrant the revocation thereof, verified in the manner provided by law, the director of licensing shall request the governor to appoint, and the governor shall appoint, two qualified practitioners of the profession or calling of the person charged, who, with the director or his duly appointed representative, shall constitute a committee to hear and determine the charges and, in case the charges are sustained, impose the penalty provided by law. The decision of any two members of such committee shall be the decision of the committee.

The appointed members of the committee shall (~~receive twenty-five dollars per day for each day spent in the performance of their duties and in going to and returning from the place of hearing, and~~) be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for their travel expenses, in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 80. Section 5, chapter 3, Laws of 1981 and RCW 43.33A.050 are each amended to read as follows:

Members of the state investment board who are public employees shall serve without compensation but shall suffer no loss because of absence from their regular employment. Members of the board who are not public employees shall (~~receive fifty dollars for each day during which the member attends an official meeting of the board or performs statutorily prescribed duties approved by the chairperson~~) be compensated in accordance with section 4 of this 1984 act. Members of the board who are not legislators shall be reimbursed for travel expenses incurred in the performance of their duties as provided in RCW 43.03.050 and 43.03-.060 (~~as now existing or hereafter amended~~). Legislative members shall receive allowances provided for in RCW 44.04.120 (~~as now existing or hereafter amended~~).

Sec. 81. Section 43.49.010, chapter 8, Laws of 1965 and RCW 43.49.010 are each amended to read as follows:

There shall be a nonsalaried commission to be known as the Columbia Basin commission, which shall consist of seven members, namely: One member designated by and from among

the directors of the Quincy-Columbia Basin irrigation district, one designated by and from among the directors of the East Columbia Basin irrigation district, one designated by and from among the directors of the South Columbia Basin irrigation district: three members appointed by the governor, and removable by him at his pleasure; and the director of conservation who shall be chairman of the commission.

Not later than the first day of February each year, each of the respective irrigation district boards shall select one of its members to serve on the Columbia Basin commission for the ensuing year, and shall thereupon forthwith certify such selection to the governor. The term of any member designated by an irrigation district shall terminate when his successor has been certified to the governor or upon the expiration of his term as irrigation district director.

Each member of the commission, except the director of conservation, shall ~~((receive fifteen dollars per day and transportation while actually engaged in the performance of his duties within the state))~~ be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 82. Section 43.51.020, chapter 8, Laws of 1965 as last amended by section 116, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.020 are each amended to read as follows:

There is hereby created a 'state parks and recreation commission' consisting of seven electors of the state. The members of the commission shall be appointed by the governor by and with the advice and consent of the senate and shall serve for a term of six years, expiring on December 31st of even-numbered years, and until their successors are appointed. In case of a vacancy, the governor shall fill the vacancy for the unexpired term of the commissioner whose office has become vacant.

The commissioners incumbent as of August 11, 1969, shall serve as follows: Those commissioners whose terms expire December 31, 1970, shall serve until December 31, 1970; the elector appointed to succeed to the office, the term for which expired December 31, 1968, shall serve until December 31, 1974; the terms of three of the four remaining commissioners shall each expire on December 31, 1972.

To assure that no more than the terms of three members will expire simultaneously on December 31st in any one even-numbered year, the term of not more than one commissioner incumbent on August 11, 1969, as designated by the governor, who was either appointed or reappointed to serve until December 31, 1972, shall be increased by the governor by two years, and said term shall expire December 31, 1974.

In making the appointments to the commission, the governor shall choose electors who understand park and recreation needs and interests. No person shall serve if he holds any elective or full-time appointive state, county, or municipal office. Members of the commission shall be ~~((entitled to be paid twenty-five dollars for each day actually spent on duties pertaining to the commission;))~~ compensated in accordance with section 4 of this 1984 act and in addition shall be allowed their travel expenses incurred while absent from their usual places of residence in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

Payment of expenses pertaining to the operation of the commission(;) shall be made upon vouchers certified to by such persons as shall be designated by the commission.

Sec. 83. Section 43.57.020, chapter 8, Laws of 1965 as last amended by section 119, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.57.020 are each amended to read as follows:

The commission representing the state on ~~((said))~~ the joint commission shall have full authority to consider and carry on negotiations for such agreement or compact, to attend meetings of the joint commission convening in or out of the state, to employ clerical, legal, and engineering assistance, and generally to perform such duties as shall be required of the members thereof in carrying out the purpose and intent of this chapter; the term of office of ~~((said))~~ the commissioners shall be from June 11, 1953, until an agreement or compact binding on the state of Washington under the provisions of RCW 43.57.030 has been entered into: PROVIDED, HOWEVER, That when a member of the commission is a member of the house of representatives, his term on the commission shall expire when he ceases to be a member of the house, and when a member of the commission is a member of the senate, his term on the commission shall expire when he ceases to be a member of the senate. Any vacancies occurring in the membership of ~~((said))~~ the commission shall be filled by the appointive power shown in RCW 43.57.010. Members of the commission representing the state who are not in the regular employ of the state shall ~~((receive fifteen dollars per day for the time actually spent on the work of the commission;))~~ be compensated in accordance with section 4 of this 1984 act and shall receive reimbursement for travel expenses incurred while away from their respective places of abode in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)). Members of the commission who are in the regular employ of the state shall receive reimbursement for travel expenses incurred while away from their respective places of abode in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended)).~~ Payment of all expenses incurred by the interstate compact commission, including the expenses of its members, shall be made on vouchers approved by its chairman.

Sec. 84. Section 11, chapter 5, Laws of 1965 as last amended by section 1, chapter 206, Laws of 1981 and by section 7, chapter 338, Laws of 1981 and RCW 43.99.110 are each reenacted and amended to read as follows:

There is created the interagency committee for outdoor recreation consisting of the commissioner of public lands, the director of parks and recreation, the director of game, the director of fisheries, and, by appointment of the governor with the advice and consent of the senate, five members from the public at large who have a demonstrated interest in and a general knowledge of outdoor recreation in the state. The terms of members appointed from the public at large shall commence on January 1st of the year of appointment and shall be for three years or until a successor is appointed, except in the case of appointments to fill vacancies which shall be for the remainder of the unexpired term; provided the first such members shall be appointed for terms as follows: One member for one year, two members for two years, and two members for three years. The governor shall appoint one of the members from the public at large to serve as chairman of the committee for the duration of the member's term. Members employed by the state shall serve without additional pay and participation in the work of the committee shall be deemed performance of their employment. Members from the public at large shall ~~(serve without pay, but)~~ be compensated in accordance with section 4 of this 1984 act and shall be entitled to reimbursement individually for travel expenses incurred in performance of their duties as members of the committee in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 85. Section 7, chapter 94, Laws of 1974 ex. sess. as amended by section 126, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.101.070 are each amended to read as follows:

Members of the commission shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. Attendance at meetings of the commission shall be deemed performance by a member of the duties of his employment.

Sec. 86. Section 5, chapter 219, Laws of 1973 1st ex. sess. as amended by section 128, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.105.032 are each amended to read as follows:

There is hereby created the Washington state data processing authority consisting of eleven members appointed by the governor, and serving at his pleasure. The governor shall make such appointments within thirty days after April 25, 1973.

Members of the authority shall ~~((not))~~ be compensated for service on the authority ~~((but))~~ in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

The authority shall elect a chairman from among its members and shall appoint an executive director within sixty days after April 25, 1973, subject to confirmation by a majority vote of the senate.

Sec. 87. Section 3, chapter 4, Laws of 1982 and RCW 43.121.030 are each amended to read as follows:

Council members shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. Attendance at meetings of the council shall be deemed performance by a member of the duties of a member's employment.

Sec. 88. Section 7, chapter 273, Laws of 1983 and RCW 43.126.075 are each amended to read as follows:

Members of the board who are not otherwise public employees shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, which shall be paid by the agency that each member represents and, for the four members of the general public, by the department of natural resources.

Sec. 89. Section 3, chapter 40, Laws of 1982 1st ex. sess. as amended by section 2, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.030 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of nine persons appointed by the governor and the director of commerce and economic development, the director of planning and community affairs, the director of revenue, the commissioner of employment security, and the chairmen of the committee on commerce and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees, for a total of seventeen members. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The

appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of commerce and economic development.

(4) All appointive members of the board shall be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 ((as now or hereafter amended)).

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

Sec. 90. Section 4, chapter 161, Laws of 1983 and RCW 43.180.040 are each amended to read as follows:

(1) There is hereby established a public body corporate and politic, with perpetual corporate succession, to be known as the Washington state housing finance commission. The commission is an instrumentality of the state exercising essential government functions and, for purposes of the code, acts as a constituted authority on behalf of the state when it issues bonds pursuant to this chapter. The commission is a 'public body' within the meaning of RCW 39.53.010.

(2) The commission shall consist of the following voting members:

(a) The state treasurer, ex officio;

(b) The director of the planning and community affairs agency, ex officio;

(c) An elected local government official, ex officio, with experience in local housing programs, who shall be appointed by the governor with the consent of the senate;

(d) A representative of housing consumer interests, appointed by the governor with the consent of the senate;

(e) A representative of labor interests, appointed by the governor, with the consent of the senate, after consultation with representatives of organized labor;

(f) A representative of low-income persons, appointed by the governor with the consent of the senate;

(g) Five members of the public appointed by the governor, with the consent of the senate, on the basis of geographic distribution and their expertise in housing, real estate, finance, energy efficiency, or construction, one of whom shall be appointed by the governor as chair of the commission and who shall serve on the commission and as chair of the commission at the pleasure of the governor.

The term of the persons appointed by the governor, other than the chair, shall be four years from the date of their appointment, except that the terms of three of the initial appointees shall be for two years from the date of their appointment. The governor shall designate the appointees who will serve the two-year terms. An appointee may be removed by the governor for cause pursuant to RCW 43.06.070 and 43.06.080. The governor shall fill any vacancy in an appointed position by appointment for the remainder of the unexpired term. If the planning and community affairs agency is abolished, the resulting vacancy shall be filled by a state official who shall be appointed to the commission by the governor. If this official occupies an office or position for which senate confirmation is not required, then his appointment to the commission shall be subject to the consent of the senate. The members of the commission shall ~~(serve without compensation, but)~~ be compensated in accordance with section 4 of this 1984 act and may be reimbursed, solely from the funds of the commission, for expenses incurred in the discharge of their duties under this chapter, subject to the provisions of RCW 43.03.050 and 43.03.060. A majority of the commission constitutes a quorum. Designees shall be appointed in such manner and shall exercise such powers as are specified by the rules of the commission.

(3) The commission may adopt an official seal and may select from its membership a vice chair, a secretary, and a treasurer. The commission shall establish rules concerning its exercise of the powers authorized by this chapter. The rules shall be adopted in conformance with chapter 34.04 RCW.

Sec. 91. Section 4, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.040 are each amended to read as follows:

There is hereby created a nuclear waste policy and review board to assist the department in carrying out its responsibilities under this chapter. The board shall consist of the following members: The chairman of the advisory council who shall also serve as chairman of the review board, the director of the department or the director's designee, the director of the energy office or the director's designee, the commissioner of public lands or the commissioner's designee, the secretary of social and health services or the secretary's designee, the chairman of the energy facility site evaluation council or the chairman's designee, four members of the

state senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker, who shall be selected from each of the caucuses in each house, but no more than two members of each house shall be of the same political party. Legislative members shall be ex officio nonvoting members of the board and shall serve while members of the legislature, at the pleasure of the appointing officer. The board shall be responsible for identifying and reviewing state agency policies relating to the management of radioactive wastes; analyzing recommendations of the advisory council to determine how state agencies may be responsive to the needs of the department in carrying out its duties under this chapter; assisting the department in determining ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the governor to effectively evaluate federal actions; reviewing the activities of advisory and technical committees created by the governor; advising the director on the need for additional advisory and technical committees; and assisting the department to participate in the consultation and concurrence process provided for in the federal waste management act of 1982 and the low-level waste policy act of 1980 and to monitor and comment on decisions of the north-west interstate compact committee on low-level radioactive waste management.

Nonlegislative members shall be compensated in accordance with section 4 of this 1984 act and shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120. The legislature shall seek reimbursement from available sources, including the federal government, for legislative expenditures incurred pursuant to the provisions of this ((act)) chapter.

Sec. 92. Section 5, chapter 150, Laws of 1967 ex. sess. as last amended by section 159, chapter 151, Laws of 1979 and RCW 44.60.050 are each amended to read as follows:

The boards may meet as frequently as they deem necessary, whether or not the legislature is in session. Each board shall hold at least one public hearing each year at which the public will be permitted to testify only on matters relating to present or proposed legislative ethics codes, rules, and laws, as well as the functions and operations of the board. For attendance at meetings during the interim or in attending to other business of his board during the interim, each legislative member shall be entitled to the allowances provided for in RCW 44.04.120, and each lay member shall be compensated in accordance with section 4 of this 1984 act and shall be entitled to travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~ from funds appropriated for that purpose.

All expenses incurred by a board or any member thereof shall be paid upon voucher forms as provided by the director of financial management and signed by the chairman of the board or his designee: PROVIDED, That vouchers for the expenses of the joint board shall be signed and attested by the chairman of the joint board.

Sec. 93. Section 3, chapter 51, Laws of 1979 ex. sess. and RCW 46.82.300 are each amended to read as follows:

(1) The director shall be assisted in the duties and responsibilities of this chapter by the driver instructors' advisory committee, consisting of five members. Members of the advisory committee shall be appointed by the director for two-year terms and shall consist of a representative of the driver training schools, a representative of the driving instructors (who shall not be from the same school as the school member), a representative of the superintendent of public instruction, a representative of the department of licensing, and a representative from the Washington state traffic safety commission. Members shall ~~((receive compensation not to exceed twenty-five dollars for each day spent on official business and shall))~~ be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~. A member who is receiving a salary from the state shall not receive compensation other than travel expenses incurred in such service.

(2) The advisory committee shall meet at least semiannually and shall have additional meetings as may be called by the director. The director or the director's representative shall attend all meetings of the advisory committee and shall serve as chairman.

(3) Duties of the advisory committee shall be to:

(a) Advise and confer with the director or the director's representative on matters pertaining to the establishment of rules necessary to carry out this chapter;

(b) Review violations of this chapter and to recommend to the director appropriate enforcement or disciplinary action as provided in this chapter;

(c) Review and update when necessary a curriculum consisting of a list of items of knowledge and the processes of driving a motor vehicle specifying the minimum requirements adjudged necessary in teaching a proper and adequate course of driver education; and

(d) Prepare the examination for a driver instructor's certificate and review examination results at least once each calendar year for the purpose of updating and revising examination standards.

Sec. 94. Section 6, chapter 151, Laws of 1977 ex. sess. as last amended by section 29, chapter 53, Laws of 1983 1st ex. sess. and RCW 47.01.061 are each amended to read as follows:

The commission shall meet at such times as it deems advisable but at least once every month. It may adopt its own rules and regulations and may establish its own procedure. It shall act collectively in harmony with recorded resolutions or motions adopted by majority vote of at least four members. The commission may appoint an administrative secretary, and shall elect one of its members chairman for a term of one year. The chairman shall be able to vote on all matters before the commission.

The commission shall submit to each regular session of the legislature held in an odd-numbered year its own budget proposal necessary for the commission's operations separate from that proposed for the department.

Each member of the commission shall ~~((receive compensation of sixty dollars per day for each day actually spent in the performance of duties, and))~~ be compensated in accordance with section 5 of this 1984 act and shall be reimbursed for actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the secretary of transportation, but in no event shall a commissioner be compensated in any year for more than one hundred twenty days, except the chairman of the commission who may be paid compensation for not more than one hundred fifty days. Service on the commission shall not be considered as service credit for the purposes of any public retirement system.

Sec. 95. Section 19, chapter 15, Laws of 1983 and RCW 47.64.280 are each amended to read as follows:

(1) There is created the marine employees' commission. The governor shall appoint the commission with the consent of the senate. The commission shall consist of three members: One member to be appointed from labor, one member from industry, and one member from the public who has significant knowledge of maritime affairs. The public member shall be chairman of the commission. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Commission members are eligible for reappointment. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members are not eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission. Members of the commission shall be compensated in accordance with section 5 of this 1984 act and shall receive reimbursement for official travel and other expenses at the same rate and on the same terms as provided for the transportation commission by RCW 47.01.061. The payments shall be made from the Puget Sound ferry operations account.

(2) The marine employees' commission shall: (a) Adjust all complaints, grievances, and disputes between labor and management arising out of the operation of the ferry system as provided in RCW 47.64.150; (b) provide for impasse mediation as required in RCW 47.64.210; (c) conduct fact-finding and provide salary surveys as required in RCW 47.64.220; and (d) provide for the selection of an impartial arbitrator as required in RCW 47.64.240(5).

(3) In adjudicating all complaints, grievances, and disputes, the party claiming labor disputes shall, in writing, notify the marine employees' commission, which shall make careful inquiry into the cause thereof and issue an order advising the ferry employee, or the ferry employee organization representing him or her, and the department of transportation, as to the decision of the commission.

The parties are entitled to offer evidence relating to disputes at all hearings conducted by the commission. The orders and awards of the commission are final and binding upon any ferry employee or employees or their representative affected thereby and upon the department.

The commission shall adopt rules of procedure under chapter 34.04 RCW.

The commission has the authority to subpoena any ferry employee or employees, or their representatives, and any member or representative of the department, and any witnesses. The commission may require attendance of witnesses and the production of all pertinent records at any hearings held by the commission. The subpoenas of the commission are enforceable by order of any superior court in the state of Washington for the county within which the proceeding may be pending. The commission may hire staff as necessary, appoint consultants, enter into contracts, and conduct studies as reasonably necessary to carry out this chapter.

Sec. 96. Section 14, chapter 150, Laws of 1967 as amended by section 142, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 48.17.135 are each amended to read as follows:

(1) There is hereby created an insurance advisory examining board, hereafter referred to as the examining board or the board.

(2) The examining board shall consist of seven members, the commissioner who shall serve ex officio as a member and shall act as chairman, and six members appointed by the commissioner. Appointments shall be made within thirty days after June 8, 1967.

(3) The insurance commissioner as chairman shall keep a record of all proceedings of the board, send out notices of meetings of the board, draft rules and regulations of the board, and perform such other duties as may be required.

(4) The members of the board appointed by the commissioner shall have been licensed insurance agents or brokers of this state for at least five years prior to their appointments, three of whom shall have been engaged in the life or disability fields and the remaining three in other insurance fields. Consistent with the representation on the board, it may function as two separate committees, at which meetings the commissioner shall also preside.

(5) The first terms for members of the examining board appointed by the commissioner shall be as follows: Two members for one year; two members for two years; two members for three years. Thereafter, the terms shall be for three years and until their successors are appointed and qualified.

(6) The examining board, or any committee of the board, shall meet at the call of the commissioner. A majority of the members of the board or of a committee shall constitute a quorum for the transaction of business by the board or a committee of the board.

(7) The board shall have the advisory power:

(a) To recommend general policy concerning the scope, contents, procedure and conduct of examinations to be given for respective licenses as agent, broker and solicitor.

(b) To recommend the questions comprising each particular such examination and from time to time to change such questions as the board deems advisable, and where examinations are composed by the board results of these examinations shall be evaluated by the board.

(c) To review other state insurance examination papers and the grading thereof.

(d) To recommend the scope and contents of material furnished agent, broker or solicitor examination applicants by the commissioner under RCW 48.17.120 for the purpose of preparing for any such examination.

(e) To recommend rules and regulations for the procedure to be followed in the conduct of such examinations, including, but not limited to, application for examination, frequency and place of examinations, minimum waiting period before reexamination, monitoring, and the safeguarding of examination questions and papers. The board shall file copies of all such rules and regulations, and of all amendments or modifications thereof, with the commissioner and with the code reviser for public inspection and information.

(f) To make such recommendations to the commissioner in regard to the administration of the examination requirement as the board from time to time deems appropriate.

(8) Members may be removed by the commissioner for any cause which unreasonably interferes with the proper discharge of the responsibilities of the board or any member thereof. Any vacancy shall be filled by the commissioner within ninety days after it occurs by appointment for the remainder of the unexpired term.

(9) Appointed members of the examining board (~~shall receive compensation from the appropriation to the insurance commissioner at the rate of twenty-five dollars per day while discharging their duties as directed and approved by the commissioner, and~~) shall be reimbursed for their travel expenses incurred in the actual performance of their duties in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

(10) The powers and recommendations of the examining board shall be advisory only.

Sec. 97. Section 1, chapter 231, Laws of 1941 as last amended by section 2, chapter 39, Laws of 1982 1st 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~~) compensated in accordance with section 4 of this 1984 act. 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.

Sec. 98. Section 4, chapter 270, Laws of 1955 as amended by section 145, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 49.60.070 are each amended to read as follows:

Each member of the board ~~shall be compensated in accordance with section 5 of this 1984 act and~~, while in session or on official business, shall receive reimbursement for travel expenses incurred during such time in accordance with RCW 43.03.050 and 43.03.060 ~~((as now existing or hereafter amended))~~.

Sec. 99. Section 1, chapter 9, Laws of 1977 and RCW 67.08.003 are each amended to read as follows:

Before entering upon the duties of his office, each commissioner shall enter into a surety bond, executed by a surety company authorized to do business in this state, payable to the state, and approved by the attorney general, in the penal sum of two thousand dollars conditioned upon the faithful performance of his duties, which bond shall be filed with the secretary of state. Each member of the commission shall be reimbursed for the cost of his bond ~~((and receive forty dollars per day))~~, be compensated in accordance with section 4 of this 1984 act, and be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)) while in the performance of his duties.

Sec. 100. Section 2, chapter 233, Laws of 1969 ex. sess. as amended by section 155, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 67.16.017 are each amended to read as follows:

Each member of the Washington horse racing commission shall ~~((receive forty dollars for each day actually spent in the performance of his duties))~~ be compensated in accordance with section 5 of this 1984 act and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)) in going to, attending, and returning from meetings of the commission, and travel expenses incurred in the discharge of such duties as may be requested of him by a majority vote of the commission, but in no event shall a commissioner be paid in any one fiscal year in excess of one hundred twenty days, except the chairman of the commission who may be paid for not more than one hundred fifty days.

Sec. 101. Section 27, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.270 are each amended to read as follows:

Each member of the commission shall ~~((receive compensation of one hundred dollars per day for each day actually spent in the performance of duties, and))~~ be compensated in accordance with section 5 of this 1984 act and shall be reimbursed for actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission((:)) and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the director.

Sec. 102. Section 33, chapter 290, Laws of 1953 as amended by section 156, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 68.05.060 are each amended to read as follows:

Each member of the board shall ~~((receive no compensation for his services, but))~~ be compensated in accordance with section 4 of this 1984 act and shall receive travel expenses in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

Sec. 103. Section 3, chapter 147, Laws of 1974 ex. sess. as last amended by section 1, chapter 210, Laws of 1983 and RCW 70.37.030 are each amended to read as follows:

There is hereby established a public body corporate and politic, with perpetual corporate succession, to be known as the Washington health care facilities authority. The authority shall constitute a political subdivision of the state established as an instrumentality exercising essential governmental functions. The authority is a 'public body' within the meaning of RCW 39.53.010, as now or hereafter amended. The authority shall consist of the governor who shall serve as chairman, the lieutenant governor, the insurance commissioner, the chairman of the Washington state hospital commission, and one member of the public who shall be appointed by the governor, subject to confirmation by the senate, on the basis of the member's interest or expertise in health care delivery, for a term expiring on the fourth anniversary of the date of appointment. In the event that any of the offices referred to shall be abolished the resulting vacancy on the authority shall be filled by the officer who shall succeed substantially to the powers and duties thereof. The members of the authority shall ~~((serve without compensation; but))~~ be compensated in accordance with section 4 of this 1984 act and shall be entitled to reimbursement, solely from the funds of the authority, for travel expenses incurred in the discharge of their duties under this chapter, subject to the provisions of RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)). A majority shall constitute a quorum.

The governor may designate an employee of the governor's office to act on behalf of the governor during the absence of the governor at one or more of the meetings of the authority. The vote of the designee shall have the same effect as if cast by the governor if the designation is in writing and is presented to the person presiding at the meetings included within the designation.

The governor may designate a member to preside during the governor's absence.

Sec. 104. Section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050 are each amended to read as follows:

The member representing consumers of health care services shall serve as chairman. The commission shall elect from its members a vice-chairman biennially. Meetings of the commission shall be held as frequently as its duties require. The commission shall keep minutes of its meetings and adopt procedures for the governing of its meetings, minutes, and transactions.

Three members shall constitute a quorum, but a vacancy on the commission shall not impair its power to act. No action of the commission shall be effective unless three members concur therein.

The members of the commission shall ~~((receive no compensation but))~~ be compensated in accordance with section 5 of this 1984 act and shall be reimbursed for their travel expenses ((while attending meetings of the commission in the same manner as legislators engaged in interim committee business as in RCW 44.04.120)) in accordance with RCW 43.03.050 and 43.03.060.

Sec. 105. Section 2, chapter 32, Laws of 1951 as amended by section 159, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.79.020 are each amended to read as follows:

The members of the board shall ~~((serve without salary))~~ be compensated in accordance with section 4 of this 1984 act and shall receive travel expenses incurred while in the performance of their duties as members of the board, in accordance with RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

Sec. 106. Section 7, chapter 139, Laws of 1973 as amended by section 161, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.95B.070 are each amended to read as follows:

For the purpose of carrying out the provisions of this chapter, a board of examiners for wastewater operator certification shall be appointed. This board may serve in a common capacity for the certification of both water and wastewater plant and system operators. One member shall be named from the department of ecology, by its director to serve at his pleasure, and one member from the department of social and health services by its secretary, to serve at his pleasure, and one member who is required to employ a certified operator and who holds the position of city manager, city engineer, director of public works, superintendent of utilities, or an equivalent position who will be appointed by the governor. The governor shall also appoint two members who are operators holding a certificate of at least the second highest operator classification for wastewater plant operators established by regulation of the director, and if authorized in a water supply system operator certification act, two members who are operators holding a certificate of at least the second highest classification for water-works operators established pursuant to such act.

The employer representative shall be appointed for an initial one-year term and the operators for initial terms of two and three years respectively. Thereafter, the members appointed by the governor shall serve for a three-year period. Vacancies shall be filled for the remainder for an unexpired term by the appointing authorities.

This board shall assist in the development of rules and regulations, shall prepare, administer, and evaluate examinations of operator competency as required in this chapter, and shall recommend the issuance or revocation of certificates. The board shall determine when and where the examinations shall be held. The examination shall be held at least three times annually.

Each member appointed by the governor shall ~~((serve without compensation, but))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses while engaged in the business of the board as prescribed in RCW 43.03.050 and 43.03.060 ((as now existing or hereafter amended)).

Sec. 107. Section 21, chapter 136, Laws of 1981 and RCW 72.09.150 are each amended to read as follows:

(1) The corrections standards board shall consist of nine voting members appointed by the governor with the consent of the senate. The secretary of corrections shall serve as an ex officio member without a vote. In addition, the speaker of the house of representatives and the president of the senate shall each appoint two nonvoting members, one from each of the two largest caucuses in their respective houses.

(2) The voting members shall serve four-year staggered terms. No member may serve more than two consecutive terms. Of the voting members, initially one-third shall be appointed for two-year terms, one-third for three-year terms, and one-third for four-year terms. The legislative members shall serve two-year terms, or until they cease to be members of the house from which they were appointed, whichever occurs first.

(3) The voting membership of the board shall be divided so that two-thirds of the members reside west of the Cascade mountains and one-third reside east of the Cascade mountains. One-third of the members shall be elected county, city, or town officials, one-third shall be elected or appointed state officials or their designees, and one-third shall be private citizens. In 1983, the members appointed to take the positions of the persons previously appointed to the two-year terms provided under subsection (2) of this section shall have been members of the state jail commission as local government representatives on June 30, 1983. The board shall include women and members of 'minority groups' as that term is commonly understood.

(4) The members of the board shall ~~((not receive any compensation for their services but))~~ be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for

travel expenses under RCW 43.03.050 and 43.03.060 for nonlegislative members and under RCW 44.04.120 for legislative members (~~as now or hereafter amended~~).

(5) The members shall elect a chairman and such other officers as they deem necessary.

Sec. 108. Section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 173, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 76.09.030 are each amended to read as follows:

(1) There is hereby created the forest practices board of the state of Washington as an agency of state government consisting of members as follows:

(a) The commissioner of public lands or his designee;

(b) The director of the department of commerce and economic development or his designee;

(c) The director of the department of agriculture or his designee;

(d) The director of the department of ecology or his designee;

(e) An elected member of a county legislative authority appointed by the governor: PROVIDED, That such member's service on the board shall be conditioned on his continued service as an elected county official: and

(f) Six members of the general public appointed by the governor, one of whom shall be an owner of not more than five hundred acres of forest land, and one of whom shall be an independent logging contractor.

(2) The members of the initial board appointed by the governor shall be appointed so that the term of one member shall expire December 31, 1975, the term of one member shall expire December 31, 1976, the term of one member shall expire December 31, 1977, the terms of two members shall expire December 31, 1978, and the terms of two members shall expire December 31, 1979. Thereafter, each member shall be appointed for a term of four years. Vacancies on the board shall be filled in the same manner as the original appointments. Each member of the board shall continue in office until his successor is appointed and qualified. The commissioner of public lands or his designee shall be the chairman of the board.

(3) The board shall meet at such times and places as shall be designated by the chairman or upon the written request of the majority of the board. The principal office of the board shall be at the state capital.

(4) Members of the board, except public employees and elected officials, shall (~~receive forty dollars for each day or major portion thereof actually spent in attending to their duties as board members~~) be compensated in accordance with section 4 of this 1984 act and in addition they shall be entitled to reimbursement for travel expenses incurred in the performance of their duties as provided in RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

(5) The board may employ such clerical help and staff pursuant to chapter 41.06 RCW as is necessary to carry out its duties.

Sec. 109. Section 22, chapter 137, Laws of 1974 ex. sess. as last amended by section 5, chapter 47, Laws of 1979 ex. sess. and RCW 76.09.220 are each amended to read as follows:

(1) The appeals board shall operate on either a part-time or a full-time basis, as determined by the governor. If it is determined that the appeals board shall operate on a full-time basis, each member shall receive an annual salary to be determined by the governor. If it is determined that the appeals board shall operate on a part-time basis, each member shall (~~receive compensation on the basis of seventy-five dollars for each day spent in performance of his duties~~) be compensated in accordance with section 4 of this 1984 act: PROVIDED, That such compensation shall not exceed ten thousand dollars in a fiscal year. Each member shall receive reimbursement for travel expenses incurred in the discharge of his duties in accordance with the provisions of RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

(2) The appeals board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect or reelect a chairman.

(3) The principal office of the appeals board shall be at the state capital, but it may sit or hold hearings at any other place in the state. A majority of the appeals board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position on the board be vacant. One or more members may hold hearings and take testimony to be reported for action by the board when authorized by rule or order of the board. The appeals board shall perform all the powers and duties granted to it in this chapter or as otherwise provided by law.

(4) The appeals board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decision shall be effective upon being signed by two or more members and upon being filed at the appeals board's principal office, and shall be open to public inspection at all reasonable times.

(5) The appeals board shall either publish at its expense or make arrangements with a publishing firm for the publication of those of its findings and decisions which are of general public interest, in such form as to assure reasonable distribution thereof.

(6) The appeals board shall maintain at its principal office a journal which shall contain all official actions of the appeals board, with the exception of findings and decisions, together with the vote of each member on such actions. The journal shall be available for public inspection at the principal office of the appeals board at all reasonable times.

(7) The forest practices appeals board shall have exclusive jurisdiction to hear appeals arising from an action or determination by the department.

(8) (a) Any person aggrieved by the approval or disapproval of an application to conduct a forest practice may seek review from the appeals board by filing a request for the same within thirty days of the approval or disapproval. Concurrently with the filing of any request for review with the board as provided in this section, the requestor shall file a copy of his request with the department and the attorney general. The attorney general may intervene to protect the public interest and insure that the provisions of this chapter are complied with.

(b) The review proceedings authorized in subparagraph (a) of this subsection are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases.

Sec. 110. Section 77.04.060, chapter 36, Laws of 1955 as last amended by section 6, chapter 78, Laws of 1980 and RCW 77.04.060 are each amended to read as follows:

The commission shall hold regular meetings within the first ten days of January, April, July, and October of each year, and special meetings when called by the chairman or by four members. Four members constitute a quorum for the transaction of business.

The commission at a meeting in each odd-numbered year shall elect one of its members as chairman and another member as vice chairman, each of whom shall serve for a term of two years or until a successor is elected and qualified.

When a vacancy in the office of the director has occurred, the commission shall elect a director by approval of four members. The director shall hold office at the pleasure of the commission.

Members of the commission (~~may receive twenty-five dollars for each day actually spent in the performance of official duties~~) shall be compensated in accordance with section 5 of this 1984 act. In addition, members are allowed their travel expenses incurred while absent from their usual places of residence in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~).

Sec. 111. Section 2, chapter 18, Laws of 1935 as last amended by section 3, chapter 337, Laws of 1977 ex. sess. and RCW 88.16.020 are each amended to read as follows:

The department of transportation of the state of Washington shall be the office of the board, and all records shall be kept in (~~said~~) the office of the department. Each pilotage commissioner shall (~~receive the sum of forty dollars per day for each day actually engaged in the conduct of the business of the board, together with~~) be compensated in accordance with section 4 of this 1984 act and shall be reimbursed for travel expenses(~~(;) in accordance with RCW 43.03.050 and 43.03.060 (as now existing or hereafter amended)~~), to be paid out of the pilotage account on vouchers approved by the chairperson of the board: PROVIDED, That the sums received under this section shall not be considered compensation earnable as defined pursuant to RCW 41.40.010(8).

The board is authorized to employ personnel, pursuant to chapter 41.06 RCW, as necessary to conduct the business of the board.

Sec. 112. Section 4, chapter 304, Laws of 1955 as last amended by section 179, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 89.08.040 are each amended to read as follows:

Members shall (~~receive no compensation, but~~) be compensated in accordance with section 4 of this 1984 act and shall be entitled to travel expenses in accordance with RCW 43.03.050 and 43.03.060 (~~as now existing or hereafter amended~~) incurred in the discharge of their duties.

The commission shall keep a record of its official actions, shall adopt a seal, which shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this 1973 amendatory act. The state department of ecology is empowered to pay the travel expenses of the elected and appointed members of the state conservation commission, and the salaries, wages and other expenses of such administrative officers or other employees as may be required under the provisions of this chapter.

NEW SECTION. Sec. 113. There is added to chapter 43.03 RCW a new section to read as follows:

The office of financial management shall review the compensation levels established for the various boards and commissions by sections 2, 3, 4, and 5 of this act. The conclusions of the review, together with any proposed legislation, shall be submitted to the legislative budget committee and the appropriate standing committees of the legislature by December 1, 1988, and every four years thereafter.

NEW SECTION. Sec. 114. Section headings and captions used in sections 2 through 5 of this act do not constitute any part of the law.

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 shall take effect on July 1, 1985."

On page 1, beginning on line 1 of the title, after "state government;" strike the remainder of the title and insert "amending section 3, chapter 157, Laws of 1951 as amended by section 1, chapter 21, Laws of 1969 and RCW 1.08.005; amending section 1, chapter 185, Laws of 1943 as amended by section 1, chapter 42, Laws of 1971 and RCW 2.32.160; amending section 5, chapter 268, Laws of 1981 and RCW 2.64.040; amending section 5, chapter 218, Laws of 1973 1st ex. sess. as amended by section 7, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.050; amending section 6, chapter 137, Laws of 1981 and RCW 9.94A.060; amending section 3, chapter 299, Laws of 1981 and RCW 13.40.025; amending section 15.24.050, chapter 11, Laws of 1961 as last amended by section 12, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.24.050; amending section 10, chapter 129, Laws of 1969 as amended by section 13, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.26.100; amending section 15.28.090, chapter 11, Laws of 1961 as last amended by section 14, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.28.090; amending section 15.44.038, chapter 11, Laws of 1961 as last amended by section 15, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.44.038; amending section 27, chapter 256, Laws of 1961 as amended by section 19, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.65.270; amending section 15.66.130, chapter 11, Laws of 1961 as last amended by section 20, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.66.130; amending section 8, chapter 61, Laws of 1961 as last amended by section 21, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.76.170; amending section 6, chapter 133, Laws of 1969 as amended by section 22, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 16.67.070; amending section 7, chapter 226, Laws of 1949 as last amended by section 22, chapter 234, Laws of 1983 and RCW 18.04.080; amending section 3, chapter 323, Laws of 1959 as amended by section 27, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.08.120; amending section 11, chapter 101, Laws of 1957 as last amended by section 28, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.055; amending section 5, chapter 101, Laws of 1957 as last amended by section 29, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.140; amending section 2, chapter 168, Laws of 1953 as last amended by section 12, chapter 225, Laws of 1982 and RCW 18.18.104; amending section 14, chapter 3, Laws of 1965 ex. sess. as last amended by section 9, chapter 75, Laws of 1977 and RCW 18.18.251; amending section 9, chapter 21, Laws of 1982 and RCW 18.22.014; amending section 2, chapter 53, Laws of 1959 as last amended by section 32, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.25.017; amending section 2, chapter 46, Laws of 1980 and RCW 18.26.070; amending section 14, chapter 168, Laws of 1983 and RCW 18.29.031; amending section 3, chapter 93, Laws of 1953 as last amended by section 3, chapter 38, Laws of 1979 and RCW 18.32.050; amending section 10, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.600; amending section 5, chapter 43, Laws of 1957 and RCW 18.34.050; amending section 15, chapter 106, Laws of 1973 1st ex. sess. as last amended by section 12, chapter 39, Laws of 1983 and RCW 18.35.150; amending section 9, chapter 93, Laws of 1977 ex. sess. as amended by section 11, chapter 43, Laws of 1981 and RCW 18.39.175; amending section 3, chapter 283, Laws of 1947 as amended by section 37, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.43.030; amending section 29, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.215; amending section 20, chapter 153, Laws of 1965 and RCW 18.44.900; amending section 11, chapter 117, Laws of 1951 as last amended by section 65, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.100; amending section 6, chapter 57, Laws of 1970 ex. sess. as last amended by section 45, chapter 158, Laws of 1979 and RCW 18.52.060; amending section 13, chapter 25, Laws of 1963 as last amended by section 39, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.54.130; amending section 2, chapter 117, Laws of 1979 and RCW 18.57.003; amending section 2, chapter 98, Laws of 1935 as last amended by section 1, chapter 90, Laws of 1979 and RCW 18.64.003; amending section 2, chapter 284, Laws of 1961 as last amended by section 52, chapter 158, Laws of 1979 and RCW 18.71.015; amending section 10, chapter 202, Laws of 1955 as last amended by section 3, chapter 111, Laws of 1979 ex. sess. and RCW 18.72.100; amending section 2, chapter 239, Laws of 1949 as last amended by section 3, chapter 116, Laws of 1983 and RCW 18.74.020; amending section 4, chapter 222, Laws of 1949 as last amended by section 5, chapter 55, Laws of 1983 and RCW 18.78.040; amending section 21, chapter 70, Laws of 1965 as last amended by section 10, chapter 168, Laws of 1983 and RCW 18.83.051; amending section 14, chapter 252, Laws of 1941 as last amended by section 49, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.85.080; amending section 8, chapter 202, Laws of 1949 as last amended by section 12, chapter 75, Laws of 1977 and RCW 18.88.080; amending section 13, chapter 124, Laws of 1907 as last amended by section 4, chapter 102, Laws of 1983 and RCW 18.92.040; amending section 5, chapter 158, Laws of 1969 ex. sess. as amended by section 54, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.96.050; amending section 2, chapter 280, Laws of 1975 1st ex. sess. as amended by section 57, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.108.020; amending section 22, chapter 253, Laws of 1971 ex. sess. as amended by section 58, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.16.310; amending section 7, chapter 96, Laws of 1974 ex. sess. as amended by section 59, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.070; amending section 5, chapter 207, Laws of 1963 as last amended by section 60, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.065; amending section 2, chapter 188, Laws of 1974 ex. sess. as last amended by section 1, chapter 79, Laws of 1977 ex. sess. and RCW 19.28.123; amending section

1, chapter 5, Laws of 1941 as last amended by section 66, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 27.04.020; amending section 11, chapter 119, Laws of 1935 as amended by section 12, chapter 106, Laws of 1973 and RCW 27.08.010; amending section 28A.04.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 67, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.04.110; amending section 28A.92.050, chapter 223, Laws of 1969 ex. sess. as amended by section 71, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.92.050; amending section 3, chapter 169, Laws of 1983 and RCW 28B.07.030; amending section 6, chapter 36, Laws of 1969 ex. sess. as last amended by section 19, chapter 338, Laws of 1981 and RCW 28B.16.060; amending section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 30, Laws of 1982 1st ex. sess. and RCW 28B.50.050; amending section 12, chapter 277, Laws of 1969 ex. sess. as amended by section 77, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.80.110; amending section 8, chapter 174, Laws of 1975 1st ex. sess. as amended by section 79, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C-.04.070; amending section 52, chapter 283, Laws of 1969 ex. sess. as amended by section 76, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.300; amending section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 91, chapter 3, Laws of 1983 and RCW 41.05.025; amending section 8, chapter 10, Laws of 1982 and RCW 41.06.110; amending section 4, chapter 263, Laws of 1955 as last amended by section 87, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.24.270; amending section 2, chapter 5, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 146, Laws of 1979 ex. sess. and RCW 41.58.015; amending section 1, chapter 167, Laws of 1982 as amended by section 2, chapter 54, Laws of 1983 and RCW 41.60.015; amending section 4, chapter 311, Laws of 1981 and RCW 41.64.030; amending section 35, chapter 1, Laws of 1973 as last amended by section 15, chapter 147, Laws of 1982 and RCW 42.17.350; amending section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030; amending section 18, chapter 62, Laws of 1970 ex. sess. as amended by section 100, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.21A.180; amending section 6, chapter 44, Laws of 1970 ex. sess. as last amended by section 104, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.22.475; amending section 43.24.060, chapter 8, Laws of 1965 as last amended by section 15, chapter 227, Laws of 1982 and RCW 43.24.060; amending section 43.24.110, chapter 8, Laws of 1965 as last amended by section 101, chapter 158, Laws of 1979 and RCW 43.24.110; amending section 5, chapter 3, Laws of 1981 and RCW 43.33A.050; amending section 43.49.010, chapter 8, Laws of 1965 and RCW 43.49.010; amending section 43.51.020, chapter 8, Laws of 1965 as last amended by section 116, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.020; amending section 43.57.020, chapter 8, Laws of 1965 as last amended by section 119, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.57.020; reenacting and amending section 11, chapter 5, Laws of 1965 as last amended by section 1, chapter 206, Laws of 1981 and by section 7, chapter 338, Laws of 1981 and RCW 43.99.110; amending section 7, chapter 94, Laws of 1974 ex. sess. as amended by section 126, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.101.070; amending section 5, chapter 219, Laws of 1973 1st ex. sess. as amended by section 128, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.105.032; amending section 3, chapter 4, Laws of 1982 and RCW 43.121.030; amending section 7, chapter 273, Laws of 1983 and RCW 43.126.075; amending section 3, chapter 40, Laws of 1982 1st ex. sess. as amended by section 2, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.030; amending section 4, chapter 161, Laws of 1983 and RCW 43.180.040; amending section 4, chapter 19, Laws of 1983 1st ex. sess. and RCW 43.200.040; amending section 5, chapter 150, Laws of 1967 ex. sess. as last amended by section 159, chapter 151, Laws of 1979 and RCW 44.60.050; amending section 3, chapter 51, Laws of 1979 ex. sess. and RCW 46.82.300; amending section 6, chapter 151, Laws of 1977 ex. sess. as last amended by section 29, chapter 53, Laws of 1983 1st ex. sess. and RCW 47.01.061; amending section 19, chapter 15, Laws of 1983 and RCW 47.64.280; amending section 14, chapter 150, Laws of 1967 as amended by section 142, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 48.17.135; amending section 1, chapter 231, Laws of 1941 as last amended by section 2, chapter 39, Laws of 1982 1st ex. sess. and RCW 49.04.010; amending section 4, chapter 270, Laws of 1955 as amended by section 145, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.60.070; amending section 1, chapter 9, Laws of 1977 and RCW 67.08.003; amending section 2, chapter 233, Laws of 1969 ex. sess. as amended by section 155, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 67.16.017; amending section 27, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.270; amending section 33, chapter 290, Laws of 1953 as amended by section 156, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 68.05.060; amending section 3, chapter 147, Laws of 1974 ex. sess. as last amended by section 1, chapter 210, Laws of 1983 and RCW 70.37.030; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 2, chapter 32, Laws of 1951 as amended by section 159, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.79.020; amending section 7, chapter 139, Laws of 1973 as amended by section 161, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.95B.070; amending section 21, chapter 136, Laws of 1981 and RCW 72.09.150; amending section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 173, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 76.09.030; amending section 22, chapter 137, Laws of 1974 ex. sess. as last amended by section 5, chapter 47, Laws of 1979 ex. sess. and RCW 76.09.220; amending section 77.04.060, chapter

36. Laws of 1955 as last amended by section 6, chapter 78, Laws of 1980 and RCW 77.04.060; amending section 2, chapter 18, Laws of 1935 as last amended by section 3, chapter 337, Laws of 1977 ex. sess. and RCW 88.16.020; amending section 4, chapter 304, Laws of 1955 as last amended by section 179, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 89.08.040; adding a new section to chapter 18.44 RCW; adding new sections to chapter 43.03 RCW; creating new sections; and providing an effective date." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Niemi, the House concurred in the Senate amendments to House Bill No. 1159.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 1159 as amended by the Senate.

Ms. Niemi spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1159 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1159 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1174 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature recognizes that:

(1) Acid deposition resulting from commercial, industrial or other emissions of sulphur dioxide and nitrogen oxides pose a threat to the delicate balance of the state's ecological systems, particularly in alpine lakes that are known to be highly sensitive to acidification;

(2) Failure to act promptly and decisively to mitigate or eliminate this danger may soon result in untold and irreparable damage to the fish, forest, wildlife, agricultural, water, and recreational resources of this state;

(3) There is a direct correlation between emissions of sulphur dioxides and nitrogen oxides and increases in acid deposition;

(4) Acidification is cumulative; and

(5) Once an environment is acidified, it is difficult, if not impossible, to restore the natural balance.

It is therefore the intent of the legislature to mitigate or eliminate the acid deposition problem by curbing sources of acid deposition within the state and to assure that adequate monitoring is conducted in alpine lakes in order to allow for early detection of acidification and the resulting environmental degradation.

NEW SECTION, Sec. 2. 'Acid deposition,' as used in sections 1 through 5 of this act means the wet or dry deposition from the atmosphere of chemical compounds with a pH of less than 5.6.

NEW SECTION, Sec. 3. (1) The joint legislative committee on science and technology is directed to establish a consultant selection committee that includes the chairs of the senate parks and ecology committee and the house environmental affairs committee and one member appointed by the department of ecology. A consultant shall be selected to:

(a) Evaluate existing information and research on acid deposition in the Pacific Northwest region;

(b) Identify data gaps that need to be filled to provide sound base-line information on acid deposition in the region; and

(c) Coordinate with the department of ecology the evaluations specified under subsections (a) and (b) of this section.

(2) In addition to the consultant selected under subsection (1) of this section, the joint committee on science and technology may execute an interagency agreement with the department of ecology for the purpose of providing financial assistance for the department's comprehensive evaluation of the phenomenon known as acid rain. The amount of financial assistance to be provided under this subsection shall not exceed fifty thousand dollars or be less than twenty-five thousand dollars.

NEW SECTION. Sec. 4. The joint legislative committee on science and technology shall report the results of the study authorized in section 3 of this act to the legislature by January 1, 1985.

NEW SECTION. Sec. 5. The joint legislative committee on science and technology is authorized to apply for and receive moneys from the federal government or other sources, public or private, to finance any of the activities authorized or mandated by sections 1 through 3 and 5 of this act.

NEW SECTION. Sec. 6. The department of ecology is responsible for periodic monitoring of the alpine lakes and other appropriate areas of the state to ensure early detection of acidification and environmental degradation.

NEW SECTION. Sec. 7. The department of ecology shall initiate in consultation with the joint science and technology committee a comprehensive evaluation of the phenomenon known as acid deposition or acid rain. The study shall evaluate the:

(1) Scope and extent of acid rain, if any, that is present within the various geographic areas of the state, including lakes and other water bodies;

(2) Present and potential effects on the state's land and water bodies;

(3) Present and potential impacts of acid rain upon the economic and environmental welfare of the state;

(4) Factors which contribute to creation of acid rain now existing in the state;

(5) Means and methods for controlling, reducing, and eliminating acid rain now in place within the state as well as preventing its recurrence in the future;

(6) Range of funds needed, on a continuing basis, to implement the means and methods set forth in subsection (5) of this section together with the proposed funding sources as well as the economic impacts associated with these means and methods; and

(7) Sufficiency of existing pollution control laws of the state to resolve satisfactorily the problems of the state associated with acid rain.

NEW SECTION. Sec. 8. (1) There is appropriated from the general fund to the house of representatives for the biennium ending June 30, 1985, the sum of fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

(2) There is appropriated from the general fund to the senate for the biennium ending June 30, 1985, the sum of fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 9. Sections 1 through 3, and 5 through 7 of this act are each added to chapter 70.94 RCW.

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," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendment to Second Substitute House Bill No. 1174.

Ms. Rust spoke in favor of the motion, and Mr. Patrick spoke against it.

Ms. Rust spoke again in favor of the motion.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Second Substitute House Bill No. 1174 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1174 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J., King P., King R., Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Bond, Struthers - 2.

Second Substitute House Bill No. 1174 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1191 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) In order to protect public health from chemical contaminants in drinking water, the state board of health shall conduct public hearings and, where technical data allow, establish by rule standards for allowable concentrations. For purposes of this chapter, the words 'chemical contaminants' are limited to synthetic organic chemical contaminants and to any other contaminants which in the opinion of the board constitute a threat to public health. If adequate data to support setting of a standard is available, the state board of health shall adopt by rule a maximum contaminant level for water provided to consumers' taps. Standards set for contaminants known to be toxic shall consider both short-term and chronic toxicity. Standards set for contaminants known to be carcinogenic shall be consistent with risk levels established by the state board of health.

(2) The board shall consider the best available scientific information in establishing the standards. The board may review and revise the standards. State and local standards for chemical contaminants may be more strict than the federal standards.

NEW SECTION. Sec. 2. The state board of health shall conduct public hearings and establish by rule monitoring requirements for chemical contaminants in public water supplies. Results of tests conducted pursuant to such requirements shall be submitted to the department of social and health services and to the local health department. The state board of health may review and revise monitoring requirements for chemical contaminants.

NEW SECTION. Sec. 3. Each local health department serving a county of the first class or larger may establish water quality standards for its jurisdiction more stringent than standards established by the state board of health. Each local health department establishing such standards shall base the standards on the best available scientific information.

NEW SECTION. Sec. 4. Public water supply systems as defined by RCW 70.119.020 that the state board of health or local health department determines do not comply with the water quality standards applicable to the system shall immediately initiate preparation of a corrective plan designed to meet or exceed the minimum standards for submission to the department of social and health services. The owner of such system shall within one year take any action required to bring the water into full compliance with the standards: PROVIDED, That the department of social and health services may require compliance as promptly as necessary to abate an immediate public health threat or may extend the period of compliance if substantial new construction is required: PROVIDED FURTHER, That the extension shall be granted only upon a determination by the department, after a public hearing, that the extension will not pose an imminent threat to public health. Each such system shall include a notice identifying the water quality standards exceeded, and the amount by which the water tested exceeded the standards, in all customer bills mailed after such determination. The notification shall continue until water quality tests conducted in accordance with this chapter establish that the system meets or exceeds the minimum standards.

NEW SECTION. Sec. 5. The state board of health in determining monitoring requirements for public water supply systems shall take into consideration economic impacts as well as public health risks.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act shall constitute a new chapter in Title 70 RCW." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendment to Substitute House Bill No. 1191.

Ms. Rust spoke in favor of the motion.

POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Rust, to me safe water is safe water. Could you give me an example or two where local governments would want safer water than the state requires?"

Ms. Rust: "I can't give you an example right off the top of my head. I think we should allow them to have more stringent requirements than the state allows."

Representatives Sanders and Patrick spoke in favor of passage of the bill.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1191 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1191 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 4; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Delwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Bond, Fuhrman, Hastings, Padden - 4.

Substitute House Bill No. 1191 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 23, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1247 with the following amendment:

Strike everything after the enacting clause, and insert the following:

"Sec. 1. Section 1, chapter 99, Laws of 1937 as amended by section 1, chapter 276, Laws of 1983 and RCW 9.92.150 are each amended to read as follows:

The sentencing judge of the superior court and the sentencing judge of courts of limited jurisdictions shall have authority and jurisdiction whereby the sentence of a prisoner, sentenced to imprisonment in their respective county jail, may be reduced by up to ~~(ten days for each month of confinement therein;)~~ one-third for good behavior.

Sec. 2. Section 31, chapter 137, Laws of 1981 and RCW 9.92.900 are each amended to read as follows:

The following sections of law do not apply to any felony offense committed on or after July 1, 1984: RCW 9.92.050, 9.92.060, 9.92.062, 9.92.064, 9.92.066, 9.92.070, 9.92.080, and 9.92.090~~(and 9.92.156)~~.

Sec. 3. Section 3, chapter 137, Laws of 1981 as last amended by section 9, chapter 164, Laws of 1983 and RCW 9.94A.030 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Commission' means the sentencing guidelines commission.

(2) 'Community corrections officer' means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(3) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender.

((3)) (4) 'Community supervision' means a period of time during which a convicted offender is subject to crime-related prohibitions and other sentence conditions imposed pursuant to this chapter by a court. For first-time offenders, the supervision may include crime-related prohibitions and other conditions imposed pursuant to RCW 9.94A.120(5).

((4)) (5) 'Confinement' means total or partial confinement as defined in this section.

((5)) (6) 'Conviction' means an adjudication of guilt pursuant to Titles 10 or 13 RCW.

((6)) (7) 'Crime-related prohibition' means an order of a court prohibiting conduct ~~((which))~~ that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct.

((7)) (8)(a) 'Criminal history' means the list of a defendant's prior convictions, whether in this state, in federal court, or elsewhere. The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) 'Criminal history' includes a defendant's convictions or pleas of guilty in juvenile court if: (i) The guilty plea or conviction was for an offense which is a felony and is criminal history as defined in RCW 13.40.020(6)(a); and (ii) the defendant was fifteen years of age or older at the time the offense was committed; and (iii) the defendant ~~((was twenty-three years of age or less))~~ had not reached his or her twenty-third birthday at the time the offense for which he or she is being sentenced was committed.

((8)) (9) 'Department' means the department of corrections.

((9)) (10) 'Determinate sentence' means a sentence ~~((which))~~ that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community supervision, the number of actual hours or days of community service work, or dollars or terms of a fine or restitution. The fact that an offender through 'earned early release' can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

((10)) (11) 'Fines' means the requirement that the offender pay a specific sum of money over a specific period of time to the court.

((11)) (12) 'First-time offender' means any person convicted of a felony not classified as a violent offense under this chapter, who previously has never been convicted of a felony in this state, federal court, or another state, and who has never participated in a program of deferred prosecution for a felony offense.

((12)) (13) 'Offender' means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. Throughout this chapter, the terms 'offender' and 'defendant' are used interchangeably.

((13)) (14) 'Partial confinement' means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, for a substantial portion of each day with the balance of the day spent in the community.

((14)) (15) 'Restitution' means the requirement that the offender pay a specific sum of money over a specific period of time to the court as payment of damages. The sum may include both public and private costs. The imposition of a restitution order does not preclude civil redress.

((15)) (16) 'Sentence range' means the sentencing court's discretionary range in imposing a nonappealable sentence.

((16)) (17) 'Total confinement' means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

((17)) (18) 'Violent offense' means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, robbery in the second degree, and vehicular homicide;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, ~~((which))~~ that is comparable to a felony classified as a violent offense in subsection ~~((17))~~ (18)(a) of this section; and

(c) Any federal or out-of-state conviction for an offense ~~((comparable to))~~ that under the laws of this state would be a felony classified as a violent offense under subsection ~~((17))~~ (18)(a) or (b) of this section.

Sec. 4. Section 9, chapter 137, Laws of 1981 and RCW 9.94A.090 are each amended to read as follows:

(1) If a plea agreement has been reached by the prosecutor and the defendant pursuant to RCW 9.94A.080, they shall at the time of the defendant's plea state to the court, on the record, the nature of the agreement and the reasons for the agreement. The court, at the time of the plea, shall determine if the agreement is consistent with the interests of justice and with the prosecuting standards. If the court determines it is not consistent with the interests of justice and with the prosecuting standards, the court shall ~~((order that neither the defendant nor the prosecutor is))~~, on the record, inform the defendant and the prosecutor that they are not bound by the agreement and that the defendant may withdraw the defendant's plea of guilty, if one has been made, and enter a plea of not guilty.

(2) The sentencing judge is not bound by any recommendations contained in an allowed plea agreement and the defendant shall be so informed at the time of plea.

Sec. 5. Section 11, chapter 137, Laws of 1981 and RCW 9.94A.110 are each amended to read as follows:

Before imposing a sentence upon a defendant, the court shall conduct a sentencing hearing. The sentencing hearing shall be held within forty court days following conviction. Upon the motion of either party for good cause shown, or on its own motion, the court may extend the time period for conducting the sentencing hearing. The court shall consider the presentence reports, if any, and criminal history, and allow arguments from the prosecutor, the defense counsel, the offender, the victim or a representative of the victim, and an investigative law enforcement officer as to the sentence to be imposed. If the court is satisfied by a preponderance of the evidence that the defendant has a criminal history, the court shall specify the convictions it has found to exist. All of this information shall be part of the record. Copies of all presentence reports presented to the sentencing court and all written findings of facts and conclusions of law as to sentencing entered by the court shall be sent to the department by the clerk of the court at the conclusion of the sentencing and shall accompany the offender if the offender is committed to the custody of the department.

Sec. 6. Section 12, chapter 137, Laws of 1981 as last amended by section 2, chapter 163, Laws of 1983 and RCW 9.94A.120 are each amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2) and (5) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender, other than a person convicted of a violation of chapter 9A.44 RCW or RCW 9A.64.020, the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

(a) Devote time to a specific employment or occupation;

(b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;

(c) Pursue a prescribed, secular course of study or vocational training;

(d) Remain within prescribed geographical boundaries and notify the court or the ((pro-
bation)) community corrections officer of any change in the offender's address or employment;

(e) Report as directed to the court and a ((probation)) community corrections officer; or

(f) Pay a fine, make restitution, and/or accomplish some community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, restitution, a term of community supervision not to exceed one year, and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds ~~((that the sentence otherwise authorized by this subsection would pose an unacceptable threat to community safety))~~, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7) (a) When an offender is convicted of any violation of chapter 9A.44 RCW or RCW 9A.64.020 except RCW 9A.44.040 or RCW 9A.44.050 and has no prior convictions of chapter 9A.44 RCW, RCW 9A.64.020, or any other felony sexual offenses in this or any other state, the sentencing court on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

After receipt of the reports, the court shall then determine whether the offender and the community will benefit from use of this special sexual offender sentencing alternative. If the court determines that both the offender and the community will benefit from use of this provision, the court shall then impose a sentence within the sentence range and, if this sentence is less than six years of confinement, the court may suspend the execution of the sentence and place the offender on community supervision for up to two years. As a condition of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

(i) Devote time to a specific employment or occupation;

(ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;

(iii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;

(iv) Report as directed to the court and a community corrections officer;

(v) Pay a fine, make restitution, accomplish some community service work, or any combination thereof; or

(vi) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

If the offender violates these sentence conditions the court may revoke the suspension and order execution of the sentence. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(b) When an offender is convicted of any felony sexual offense and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of the department of social and health services at the Eastern State Hospital or the Western State Hospital for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of the department of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment programs at Western State Hospital or Eastern State Hospital, as determined by the secretary of the department of social and health services. The offender shall be transferred to the state pending placement in the treatment program.

If the offender does not comply with the conditions of the treatment program, the secretary of the department of social and health services may refer the matter to the sentencing court for determination as to whether the offender shall be transferred to the department of corrections to serve the balance of his term of confinement.

If the offender successfully completes the treatment program before the expiration of his term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

(i) Devote time to a specific employment or occupation;

(ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;

(iii) Report as directed to the court and a community corrections officer;

(iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

(8) If the court imposes a sentence requiring confinement of ~~((sixty))~~ thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than ~~((sixty))~~ thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

~~((8b))~~ (9) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. ~~((No such period of time may exceed ten years subsequent to the entering of the judgment of conviction.))~~ In any sentence under this chapter the court may also require the offender to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (a) to pay court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, (b) to make recoupment of the cost of defense attorney's fees if counsel is provided at public expense, (c) to contribute to a county or interlocal drug fund, and (d) to make such other payments as provided by law. All monetary payments shall be ordered paid by no later than ten years after the date of the judgment of conviction.

~~((9))~~ (10) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in RCW 9A.20.020.

~~((10b))~~ (11) All offenders sentenced to terms involving community supervision, community service, restitution, or fines shall be under the supervision of the secretary of the department or such person as the secretary may designate and shall follow implicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(12) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(13) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

Sec. 7. Section 13, chapter 137, Laws of 1981 and RCW 9.94A.130 are each amended to read as follows:

The power to defer or suspend the imposition or execution of sentence is hereby abolished in respect to sentences prescribed for felonies committed after June 30, 1984, except for offenders sentenced under RCW 9.94A.120(7)(a), the special sexual offender sentencing alternative, whose sentence may be suspended.

Sec. 8. Section 15, chapter 137, Laws of 1981 as amended by section 6, chapter 192, Laws of 1982 and RCW 9.94A.150 are each amended to read as follows:

No person serving a sentence imposed pursuant to this chapter shall leave the confines of the correctional facility or be released prior to the expiration of the sentence except as follows:

(1) The terms of the sentence may be reduced by earned early release time in accordance with procedures developed and promulgated by the department. The earned early release time shall be for good behavior and good performance, as determined by the department. In no case shall the aggregate earned early release time exceed one-third of the sentence;

(2) An offender may leave a correctional facility pursuant to an authorized furlough or leave of absence. In addition, offenders may leave a correctional facility when in the custody of a corrections officer or officers;

(3) The governor, upon recommendation from the clemency and pardons board, may grant an extraordinary release for reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances;

(4) If the sentence of confinement is in excess of ~~((eighteen))~~ twelve months but not in excess of three years, no more than the final three months of the sentence may be served in partial confinement designed to aid the offender in finding work and reestablishing him or herself in the community. If the sentence of confinement is in excess of three years, no more than the final six months of the sentence may be served in such partial confinement;

(5) The governor may pardon any offender; ~~((and))~~

(6) The department of corrections may release an offender from ~~((total))~~ confinement any time within ten days before a release date calculated under this section~~((:)); and~~

(7) An offender may leave a correctional facility prior to completion of his sentence if the sentence has been reduced as provided in RCW 9.94A.160.

NEW SECTION. Sec. 9. There is added to chapter 9.94A RCW a new section to read as follows:

If the governor finds that an emergency exists in that the populations of county jails exceed their reasonable, maximum capacity in a significant manner as a result of increases in the sentenced felon population due to implementation of chapter 9.94A RCW, the governor may do any one or more of the following:

(1) Call the sentencing guidelines commission into an emergency meeting for the purpose of evaluating the standard ranges and other standards. The commission may adopt any revision or amendment to the standard ranges or other standards that it believes appropriate to deal with the emergency situation. The revision or amendment shall be adopted in conformity with chapter 34.04 RCW and shall take effect on the date prescribed by the commission. The legislature shall approve or modify the commission's revision or amendment at the next legislative session after the revision or amendment takes effect. Failure of the legislature to act shall be deemed as approval of the revision or amendment. The commission shall also analyze how alternatives to total confinement are being provided and used and may recommend other emergency measures that may relieve the overcrowding.

(2) Call the clemency and pardons board into an emergency meeting for the purpose of recommending whether the governor's commutation or pardon power should be exercised to meet the present emergency.

Sec. 10. Section 19, chapter 137, Laws of 1981 and RCW 9.94A.190 are each amended to read as follows:

A sentence (~~which~~) that includes a term or terms of confinement totaling more than one year shall be served in a facility or institution operated, or utilized under contract, by the state. A sentence of not more than one year of confinement shall be served in a facility operated, licensed, or utilized under contract, by the county.

NEW SECTION. Sec. 11. There is added to chapter 9.94A RCW a new section to read as follows:

If an offender violates any condition or requirement of a sentence, a community corrections officer may arrest or cause the arrest of the offender without a warrant, pending a determination by the court. If there is reasonable cause to believe that an offender has violated a condition or requirement of the sentence, an offender may be required to submit to a search and seizure of the offender's person, residence, automobile, or other personal property. A community corrections officer may also arrest an offender for any crime committed in his or her presence. The facts and circumstances of the conduct of the offender shall be reported by the community corrections officer, with recommendations, to the court.

If a community corrections officer arrests or causes the arrest of an offender under this section, the offender shall be confined and detained in the county jail of the county in which the offender was taken into custody, and the sheriff of that county shall receive and keep in the county jail, where room is available, all prisoners delivered to the jail by the community corrections officer, and such offenders shall not be released from custody on bail or personal recognizance, except upon approval of the court, pursuant to a written order.

Sec. 12. Section 20, chapter 137, Laws of 1981 and RCW 9.94A.200 are each amended to read as follows:

(1) If an offender violates any condition or requirement of a sentence, the ~~(offender may receive))~~ court may modify its order of judgment and sentence and impose further punishment in accordance with this section.

(2) If ~~(a defendant))~~ an offender fails to comply with any of the requirements or conditions of a sentence the following provisions apply:

(a) The court, upon the motion of the state, or upon its own motion, shall require the ~~((defendant))~~ offender to show cause why the ~~((defendant))~~ offender should not be ~~((confined))~~ punished for the noncompliance. The court may issue a summons or a warrant of arrest for the ~~((defendant's))~~ offender's appearance;

(b) ~~((The state has the burden of showing noncompliance by a preponderance of the evidence. The defendant has the burden of showing by a preponderance of the evidence that the noncompliance was not a willful refusal.))~~ If the court finds that the violation ~~((was willful))~~ has occurred, it ~~((shall))~~ may order the ~~((defendant))~~ offender to be confined for a period not to exceed sixty days for each violation, and may convert a term of partial confinement to total confinement. Any time served in confinement awaiting a hearing on noncompliance shall be credited against any confinement order by the court; and

(c) If the court finds that the violation was not willful, the court may ~~((reduce or extend the payment period or eliminate the fine or reduce or relieve the defendant of the obligation of community service work or of making restitution))~~ modify its previous order regarding payment of fines or other monetary payments and regarding community service obligations.

(3) Nothing in this section prohibits the filing of escape charges if appropriate.

Sec. 13. Section 21, chapter 137, Laws of 1981 as amended by section 7, chapter 192, Laws of 1982 and RCW 9.94A.210 are each amended to read as follows:

(1) A sentence within the standard range for the offense shall not be appealed. For purposes of this section, a sentence imposed on a first offender under RCW 9.94A.120(5) shall also be deemed to be within the standard range for the offense and shall not be appealed.

(2) ~~((f)) A sentence ((is)) outside ((of)) the sentence range for the offense(~~(-the defendant or prosecutor may seek review of the sentence before))~~) is subject to appeal by the defendant or the state. The appeal shall be to the court of appeals in accordance with rules adopted by the supreme court.~~

(3) Pending review of the sentence, the sentencing court or the court of appeals may order the defendant confined or placed on conditional release, including bond.

(4) To reverse a sentence which is outside the sentence range, the reviewing court must find: (a) Either that the reasons supplied by the sentencing judge are not supported by the record which was before the judge or that those reasons do not justify a sentence outside the standard range for that offense; or (b) that the sentence imposed was clearly excessive or clearly too lenient.

(5) A review under this section shall be made solely upon the record that was before the sentencing court. Written briefs shall not be required and the review and decision shall be ~~((heard within thirty days following the date of sentencing and a decision shall be rendered within fifteen days following the oral argument))~~ made in an expedited manner according to rules adopted by the supreme court.

(6) The court of appeals shall issue a written opinion in support of its decision whenever the judgment of the sentencing court is reversed and may issue written opinions in any other case where the court believes that a written opinion would provide guidance to sentencing judges and others in implementing this chapter and in developing a common law of sentencing within the state.

Sec. 14. Section 22, chapter 137, Laws of 1981 and RCW 9.94A.220 are each amended to read as follows:

When an offender has completed the requirements of the ~~((offender's))~~ sentence, the secretary of the department or his designee shall notify the sentencing court, which shall discharge the offender and provide the offender with a certificate of discharge. The discharge shall have the effect of restoring all civil rights lost by operation of law upon conviction, and the certificate of discharge shall so state. Nothing in this section prohibits the use of an offender's prior record for purposes of determining sentences for later offenses as provided in this chapter. Nothing in this section affects or prevents use of the offender's prior conviction in a later criminal prosecution either as an element of an offense or for impeachment purposes. A certificate of discharge is not based on a finding of rehabilitation.

Upon release from custody, the offender may apply to the department for counseling and help in adjusting to the community. This voluntary help may be provided for up to one year following the release from custody.

Sec. 15. Section 2, chapter 207, Laws of 1982 and RCW 9.94A.270 are each amended to read as follows:

(1) Whenever a punishment imposed under this chapter requires ~~((probation))~~ community supervision services to be provided, the sentencing court shall require~~((as a condition of probation:))~~ that the offender pay to the department of corrections the monthly assessment, prescribed under subsection (2) of this section, which shall be for the duration of the probation and which shall be considered as payment or part payment of the cost of providing probation supervision to the probationer. The court may exempt a person from the payment of all ~~((of for))~~ or any part of the assessment based upon any of the following factors:

(a) The offender has diligently attempted but has been unable to obtain employment ~~((which))~~ that provides the offender sufficient income to make such payments.

(b) The offender is a student in a school, college, university, or a course of vocational or technical training designed to fit the student for gainful employment.

(c) The offender has an employment handicap, as determined by an examination acceptable to or ordered by the court.

(d) The offender's age prevents him from obtaining employment.

(e) The offender is responsible for the support of dependents and the payment of the assessment constitutes an undue hardship on the offender.

(f) Other extenuating circumstances as determined by the court.

(2) The department of corrections shall adopt a rule prescribing the amount of the assessment. The department may, if it finds it appropriate, prescribe a schedule of assessments ~~((which))~~ that shall vary in accordance with the intensity or cost of the supervision. The department may not prescribe any assessment ~~((which))~~ that is less than ten dollars nor more than fifty dollars.

(3) All amounts required to be paid under this section shall be collected by the department of corrections and deposited by the department in the state general fund.

(4) This section shall not apply to probation services provided under an interstate compact pursuant to chapter 9.95 RCW or to probation services provided for persons placed on probation prior to June 10, 1982.

Sec. 16. Section 2, chapter 115, Laws of 1983 and RCW 9.94A.310 are each amended to read as follows:

TABLE I
Sentencing Grid

SERIOUSNESS SCORE	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
XIV	Life Sentence without Parole/Death Penalty									
XIII	23y4m 240- 320	24y4m 250- 333	25y4m 261- 347	26y4m 271- 361	27y4m 281- 374	28y4m 291- 388	30y4m 312- 416	32y10m 338- 450	36y 370- 493	40y 411- 548
XII	12y 123- 164	13y 134- 178	14y 144- 192	15y 154- 205	16y 165- 219	17y 175- 233	19y 195- 260	21y 216- 288	25y 257- 342	29y 298- 397
XI	6y 62- 82	6y9m 69- 92	7y6m 77- 102	8y3m 85- 113	9y 93- 123	9y9m 100- 133	12y6m 129- 171	13y6m 139- 185	15y6m 159- 212	17y6m 180- 240
X	5y 51- 68	5y6m 57- 75	6y 62- 82	6y6m 67- 89	7y 72- 96	7y6m 77- 102	9y6m 98- 130	10y6m 108- 144	12y6m 129- 171	14y6m 149- 198
IX	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	5y 51- 68	5y6m 57- 75	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144	12y6m 129- 171
VIII	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	6y6m 67- 89	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144
VII	18m 15- 20	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y 41- 54	5y6m 57- 75	6y6m 67- 89	7y6m 77- 102	8y6m 87- 116
VI	13m 12+5- 14	18m 15- 20	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y6m 46- 61	5y6m 57- 75	6y6m 67- 89	7y6m 77- 102
V	9m 6- 12	13m 12+5- 14	15m 13- 17	18m 15- 20	2y2m 22- 29	3y2m 33- 43	4y 41- 54	5y 51- 68	6y 62- 82	7y 72- 96
IV	6m 3- 9	9m 6- 12	13m 12+5- 14	15m 13- 17	18m 15- 20	2y2m 22- 29	3y2m 33- 43	4y2m 43- 57	5y2m 53- 70	6y2m 63- 84
III	2m 1- 3	5m 3- 8	8m 4- 12	11m 9- 12	14m 12+5- 16	20m 17- 22	2y2m 22- 29	3y2m 33- 43	4y2m 43- 57	5y 51- 68
II		4m 0-90 Days	6m 2- 9	8m 3- 12	13m 4- 14	16m 12+- 18	20m 14- 22	2y2m 17- 29	3y2m 22- 43	4y2m 33- 57
I			3m 0-60 Days	4m 2- 6	5m 3- 8	8m 4- 12	13m 12+- 14	16m 14- 18	20m 17- 22	2y2m 22- 29

NOTE: Numbers in the first horizontal row of each seriousness category represent sentencing midpoints in years(y) and months(m). Numbers in the second and third rows represent presumptive sentencing ranges in months, or in days if so designated. 12+ equals one year and one day.

Additional time added to the presumptive sentence if the offender or an accomplice was armed with a deadly weapon as defined in this chapter:

24 months (Rape 1, Robbery 1, Kidnaping 1)

18 months (Burglary 1)
 12 months (Assault 2, Escape 1, Kidnaping 2, Burglary 2 of a building other than a dwelling,
Delivery or Possession of a controlled substance with intent to deliver)
 Sec. 17. Section 3, chapter 115, Laws of 1983 and RCW 9.94A.320 are each amended to
 read as follows:

TABLE 2
 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XIV	Aggravated Murder 1 (RCW 10.95.020)
XIII	Murder 1 (RCW 9A.32.030)
XII	Murder 2 (RCW 9A.32.050)
XI	Assault 1 (RCW 9A.36.010)
X	Kidnaping 1 (RCW 9A.40.020)
	Rape 1 (RCW 9A.44.040)
	<u>Damaging building, etc., by explosion with threat to human being (RCW 70.74.280(1))</u>
	<u>Over 18 and deliver heroin or narcotic from Schedule I or II to someone under 18 and 3 years junior (RCW 69.50.406)</u>
IX	Robbery 1 (RCW 9A.56.200)
	Manslaughter 1 (RCW 9A.32.060)
	Statutory Rape 1 (RCW 9A.44.070)
	<u>Employing, using, or permitting minor to engage in sexually explicit conduct for commercial use (RCW 9.68A.020)</u>
	<u>Explosive devices prohibited (RCW 70.74.180)</u>
	<u>Endangering life and property by explosives with threat to human being (RCW 70.74.270)</u>
	<u>Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406)</u>
VIII	Arson 1 (RCW 9A.48.020)
	Rape 2 (RCW 9A.44.050)
	Promoting Prostitution 1 (RCW 9A.88.070)
	<u>Selling heroin for profit (RCW 69.50.410)</u>
VII	Burglary 1 (RCW 9A.52.020)
	<u>(Negligent) Vehicular Homicide (RCW 46.61.520)</u>
	Introducing Contraband 1 (RCW 9A.76.140)
	Statutory Rape 2 (RCW 9A.44.080)
	<u>Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))</u>
	<u>Sending, bringing into the state, possessing, publishing, printing, etc., obscene matter involving minor engaged in sexually explicit conduct (RCW 9.68A.030)</u>
VI	Bribery (RCW 9A.68.010)
	Manslaughter 2 (RCW 9A.32.070)
	Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
	<u>Damaging building, etc., by explosion with no threat to human being (RCW 70.74.280(2))</u>
	<u>Endangering life and property by explosives with no threat to human being (RCW 70.74.270)</u>
	<u>Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))</u>
	<u>Incest 1 (RCW 9A.64.020(1))</u>
	<u>Selling for profit (controlled or counterfeit) any controlled substance (except heroin) (RCW 69.50.410)</u>
	<u>Manufacture, deliver, or possess with intent to deliver heroin or narcotics from Schedule I or II (RCW 69.50.401(a)(1)(i))</u>
V	<u>(Statutory Rape 2 (RCW 9A.44.080))</u>
	Rape 3 (RCW 9A.44.060)
	Kidnaping 2 (RCW 9A.40.030)
	Extortion 1 (RCW 9A.56.120)
	<u>(Indecent Liberties (RCW 9A.44.100))</u>
	<u>Incest 2 (RCW 9A.64.020(2))</u>
	<u>Perjury 1 (RCW 9A.72.020)</u>
	<u>Rendering Criminal Assistance 1 (RCW 9A.76.070)</u>
IV	Robbery 2 (RCW 9A.56.210)
	Assault 2 (RCW 9A.36.020)
	Escape 1 (RCW 9A.76.110)
	Arson 2 (RCW 9A.48.030)
	Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
	Malicious Harassment (RCW 9A.36.080)
	Willful Failure to Return from Furlough (RCW 72.66.060)
	<u>(Incest 1 (RCW 9A.64.020(1)))</u>
	<u>Hit and Run -- Injury Accident (RCW 46.52.020(4))</u>

- Vehicular Assault (RCW 46.61.522)
Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except marijuana) (RCW 69.50.401(a)(1)(ii) through (iv))
- III ((~~Rape 3 (RCW 9A.44.066)~~))
 Statutory Rape 3 (RCW 9A.44.090)
 ((~~Incest 2 (RCW 9A.64.020(2))~~))
 Extortion 2 (RCW 9A.56.130)
 Unlawful Imprisonment (RCW 9A.40.040)
 Assault 3 (RCW 9A.36.030)
Unlawful possession of firearm or pistol by felon (RCW 9.41.040)
 Promoting Prostitution 2 (RCW 9A.88.080)
 Introducing Contraband 2 (RCW 9A.76.150)
 Communicating with a Minor for Immoral Purposes (RCW 9A.44.110)
 Escape 2 (RCW 9A.76.120)
 Perjury 2 (RCW 9A.72.030)
 Intimidating a Public Servant (RCW 9A.76.180)
 Tampering with a Witness (RCW 9A.72.120)
Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(a)(1)(ii))
- II Malicious Mischief 1 (RCW 9A.48.070)
 Possession of Stolen Property 1 (RCW 9A.56.150)
 Theft 1 (RCW 9A.56.030)
 Theft of Livestock (RCW 9A.56.080)
 Welfare Fraud (RCW ((~~74.08.055~~)) 74.08.331)
 Burglary 2 (RCW 9A.52.030)
Possession of controlled substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.401(d))
Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.401(b))
- I Theft 2 (RCW 9A.56.040)
 Possession of Stolen Property 2 (RCW 9A.56.160)
 Forgery (RCW 9A.60.020)
 Auto Theft (Taking and Riding) (RCW 9A.56.070)
 Vehicle Prowl 1 (RCW 9A.52.095)
 Eluding a Police Vehicle (RCW 46.61.024)
 Malicious Mischief 2 (RCW 9A.48.080)
 Reckless Burning 1 (RCW 9A.48.040)
 Unlawful Issuance of Bank Checks (RCW 9A.56.060)
False Verification for Welfare (RCW 74.08.055)
Forged prescription (RCW 69.41.020)
Possess controlled substance that is a narcotic from Schedule III, IV, or V or non-narcotic from Schedule I-V (RCW 69.50.401(d))

Sec. 18. Section 4, chapter 115, Laws of 1983 and RCW 9.94A.330 are each amended to read as follows:

TABLE 3
 OFFENDER SCORE MATRIX

	Prior Adult Convictions				
	Serious	Burglary	Other	((Negligent)) Vehicular	Escape
Current Offenses	Violent	1	Violent	Homicide	Escape
Serious Violent	3	2	2	((+))2	1
Burglary 1	2	2	2	((+))2	1
Other Violent	2	2	2	((+))2	1
((Negligent)) Vehicular					
Homicide	0	0	0	((+))2	0
Escape	0	0	0	0	1
Burglary 2	1	2	1	1	1
Other					
Non-Violent	1	1	1	1	1
<u>Drug</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
	Burglary	Felony	Serious	Other	<u>Drug</u>
Current Offenses	2	((Hit-and-Run)) Traffic	Traffic	Non-Violent	
Serious Violent	1	1	0	1	1
Burglary 1	2	1	0	1	<u>1</u>

Current Offenses	Burglary 2	Felony ((Hit-and-Run)) Traffic	Serious Traffic	Other Non-Violent	Drug
Other Violent ((Negligent)) Vehicular	1	1	0	1	1
Homicide	0	1	1	0	0
Escape	0	0	0	0	0
Burglary 2	2	1	0	1	1
Other Non-Violent	1	1	0	1	1
Drug	1	1	0	1	2

Prior Juvenile Convictions

Current Offenses	Serious Violent	Burglary	Other Violent	((Negligent)) Vehicular Homicide	Escape
Serious Violent	3	2	2	((+/-))2	1/2
Burglary 1	2	2	2	((+/-))2	1/2
Other Violent ((Negligent)) Vehicular	2	2	2	((+/-))2	1/2
Homicide	0	0	0	((+))2	0
Escape	0	0	0	0	1/2
Burglary 2	((+))1/2	2	((+))1/2	1/2	1/2
Other Non-Violent	((+))1/2	((+))1/2	((+))1/2	1/2	1/2
Drug	1/2	1/2	1/2	1/2	1/2

Current Offenses	Burglary 2	Felony ((Hit-and-Run)) Traffic	Serious Traffic	Other Non-Violent	Drug
Serious Violent	1/2	1/2	0	1/2	1/2
Burglary 1	1	1/2	0	1/2	1/2
Other Violent ((Negligent)) Vehicular	1/2	1/2	0	1/2	1/2
Homicide	0	1/2	1/2	0	0
Escape	0	0	0	0	0
Burglary 2	1	1/2	0	1/2	1/2
Other Non-Violent	1/2	1/2	0	1/2	1/2
Drug	1/2	1/2	0	1/2	1

Definitions: Serious Violent: Murder 1, Murder 2, Assault 1, Kidnapping 1, Rape 1
 Escape: Escape 1, Escape 2, Willful Failure to Return From Work Release or Furlough
 Serious Traffic: Driving While Intoxicated, Actual Physical Control, Reckless Driving, Hit-and-Run
 Felony Traffic: Felony Hit-and-Run, Vehicular Assault, Attempting to Elude a Police Officer
 Drug: All felony violations of chapter 69.50 RCW except possession of a controlled substance

Sec. 19. Section 7, chapter 115, Laws of 1983 and RCW 9.94A.360 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are summarized in Table 3, RCW 9.94A.330.

The offender score is computed in the following way:

(1) Include juvenile felony convictions if the offender was 15 or older at the time the offense was committed and the offender was less than 23 ((or-less)) at the time the offense for which he or she is being sentenced was committed.

(2) If the present conviction is for Murder 1 or 2, Assault 1, Kidnaping 1, or Rape 1, count three points for prior adult and juvenile convictions for crimes in these categories, two points for each prior adult and juvenile violent conviction (not already counted), one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(3) ~~(If the present conviction is for a violent offense (as defined in RCW 9.94A.110) and not covered in subsection (2) of this section, count two points for each prior adult and juvenile violent felony conviction and 1/2 point for each prior juvenile nonviolent felony conviction (rounding down for uneven scores):~~

~~(4) If the present conviction is for Burglary (1 or 2), count two points for each prior adult Burglary conviction. Count two points for each prior juvenile Burglary 1, and one point for each prior juvenile Burglary 2 conviction.~~

~~(5) If the present conviction is for a nonviolent offense (as defined in *RCW 9.94A.110), count one point for each prior adult felony conviction and one point for each prior juvenile violent felony conviction and 1/2 point for each prior juvenile nonviolent felony (rounding down for uneven scores):~~

~~(6) If the present conviction is for escape, count only prior escape convictions in the offender score. Count adult prior escape convictions as one point and juvenile prior escape convictions as 1/2 point (rounding down for uneven scores):~~

~~(7) If the present conviction is for Negligent Homicide, only count the following crimes as part of the offender score: Negligent Homicide, Felony Hit and Run (RCW 46.52.020(4)), Hit and Run (RCW 46.52.020(5)), Driving While Intoxicated (RCW 46.61.502), Actual Physical Control (RCW 46.61.504), Reckless Driving (RCW 46.61.500). Count each adult prior conviction as one point and each juvenile prior conviction as 1/2 point (rounding down for uneven scores):~~

~~(8) In the case of multiple prior convictions for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. The conviction for the most serious offense, using the seriousness levels to define most serious, is scored:~~

~~(9)) If the present conviction is for Burglary 1, count priors as in subsection (5) of this section; however count two points for each prior adult Burglary 2 conviction, and one point for each prior juvenile Burglary 2 conviction.~~

~~(4) If the present conviction is for Vehicular Homicide, only count the following crimes as part of the offender score: Vehicular Homicide, Vehicular Assault, Felony Hit and Run (RCW 46.52.020(4)), Hit and Run (RCW 46.52.020(5)), Driving While Intoxicated (RCW 46.61.502), Actual Physical Control (RCW 46.61.504), Reckless Driving (RCW 46.61.500), Attempting to Elude a Police Officer (RCW 46.61.500). Count two points for each adult or juvenile Vehicular Homicide conviction, one point for each other adult felony traffic or serious traffic conviction, and 1/2 point for each other juvenile felony traffic or serious traffic conviction.~~

~~(5) If the present conviction is for a violent offense and not covered in subsections (2), (3), (4), or (8) of this section, count two points for each prior adult and juvenile violent felony conviction, one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.~~

~~(6) If the present conviction is for escape (Escape 1, RCW 9A.76.110; Escape 2, RCW 9A.76.120; Willful Failure to Return from Furlough, RCW 72.66.060; and Willful Failure to Return from Work Release, RCW 72.65.070), count only prior escape convictions in the offender score. Count adult prior escape convictions as one point and juvenile prior escape convictions as 1/2 point.~~

~~(7) If the present conviction is for Burglary 2, count priors as in subsection (9) of this section; however count two points for each adult and juvenile prior Burglary 1 conviction, two points for each adult prior Burglary 2 conviction, and one point for each juvenile prior Burglary 2 conviction.~~

~~(8) If the present conviction is for a violation of chapter 69.50 RCW, except for possession of a controlled substance (RCW 69.50.401(d)), count two points for each adult prior felony drug conviction (chapter 69.50 RCW, except RCW 69.50.401(d)), and one point for each juvenile drug conviction. All other adult and juvenile felonies are scored as in subsection (5) of this section if the current drug conviction is violent, or as in subsection (9) of this section if the current drug conviction is nonviolent.~~

~~(9) If the present conviction is for a nonviolent offense and not covered by subsection (6), (7), or (8) of this section, count one point for each prior adult felony conviction and one point for each prior juvenile violent felony conviction and 1/2 point for each prior juvenile nonviolent felony.~~

~~(10) For all offender scores, the fractional totals shall be rounded down to the nearest whole number.~~

~~(11) In the case of multiple prior convictions for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. The conviction for the offense that yields the highest offender score is used.~~

~~(12) Class A prior felony convictions are always included in the offender score. Class B prior felony convictions are not included if the offender has spent ten years in the community and has not been convicted of any felonies since the last date of release from confinement pursuant to a felony conviction (including full-time residential treatment), if any, or entry of judgment and sentence. Class C prior felony convictions and serious traffic convictions as defined in RCW 9.94A.330 are not included if the offender has spent five years in the community and has not been convicted of any felonies since the last date of release from confinement~~

pursuant to a felony conviction (including full-time residential treatment), if any, or entry of judgment and sentence. This subsection applies to both adult and juvenile prior convictions.

The designation of out-of-state convictions shall be covered by the offense definitions and sentences provided by Washington law.

The offender score is the sum of points accrued under subsections (1) through ~~((9))~~ (12) of this section.

Sec. 20. Section 8, chapter 115, Laws of 1983 and RCW 9.94A.370 are each amended to read as follows:

The intersection of the column defined by the offender score and the row defined by the offense seriousness score determines the presumptive sentencing range (see RCW 9.94A.310, (Table 1)). ~~((The judge may sentence anywhere within this range. Except in decisions concerning first-time, nonviolent offenders, any sentence imposed by a sentencing judge which is outside the presumptive range is a departure from the guidelines, requires written reasons from the judge, and is reviewable on appeal.))~~ The additional time for deadly weapon findings shall be added to the entire presumptive sentence range. The court may impose any sentence within the range that it deems appropriate. All presumptive sentence ranges are expressed in terms of total confinement.

In determining any sentence, the trial ~~((judge))~~ court may use no more information than is admitted by the plea agreement, and admitted to or acknowledged at the time of sentencing. Acknowledgement includes not objecting to information stated in the presentence reports. Where the defendant disputes material facts, the ~~((judge))~~ court must either not consider the fact or grant an evidentiary hearing on the point. The real facts shall be deemed proven at the evidentiary hearing by a preponderance of the evidence. Real facts ~~((which))~~ that establish elements of a higher crime, a more serious crime, or additional crimes cannot be used to go outside the ~~((guidelines))~~ presumptive sentence range except upon stipulation.

Sec. 21. Section 9, chapter 115, Laws of 1983 and RCW 9.94A.380 are each amended to read as follows:

For sentences of nonviolent offenders for ~~((less than))~~ one year or less, the court shall consider and give priority to available alternatives to total confinement and shall ~~((justify))~~ state its reasons if they are not used.

~~((With the exception of the first-time offender, the judge shall establish the sentence in terms of total confinement. This sentence can be converted as follows: One day of partial confinement or eight hours of community service can replace one day of total confinement. The community service conversion is limited to 240 hours or 30 working days. In addition, the judge can impose up to one year of community supervision to ensure that the terms of the alternative sentence are met. Fines can be assessed according to the following formula:~~

Class A felonies	\$0 - 50,000
Class B felonies	\$0 - 20,000
Class C felonies	\$0 - 10,000

~~These alternatives include the following sentence conditions that the court may order as substitutes for total confinement: (1) One day of partial confinement or eight hours of community service may be substituted for one day of total confinement; (2) the community service conversion is limited to two hundred forty hours or thirty days. The conversion of total confinement to partial confinement may be applied to all sentences of one year or less, including those for violent offenses.~~

NEW SECTION. Sec. 22. There is added to chapter 9.94A RCW a new section to read as follows:

On all sentences of confinement for one year or less the court may impose up to one year of community supervision. For confinement sentences, unless otherwise ordered by the court, the period of community supervision begins at the date of release from confinement. For non-confinement sentences, the period of community supervision begins at the date of entry of the judgment and sentence.

NEW SECTION. Sec. 23. There is added to chapter 9.94A RCW a new section to read as follows:

On all sentences under this chapter the court may impose fines according to the following ranges:

Class A felonies	\$0 - 50,000
Class B felonies	\$0 - 20,000
Class C felonies	\$0 - 10,000

Sec. 24. Section 10, chapter 115, Laws of 1983 and RCW 9.94A.390 are each amended to read as follows:

~~((The presumptive sentence shall be the midpoint of the standard range as established by the crime of conviction and any applicable enhancements. The sentencing court shall impose the presumptive sentence or other sentence within the indicated standard range that it determines to be appropriate.))~~ If the sentencing court finds that an exceptional sentence outside the standard range should be imposed in accordance with RCW 9.94A.120(2), the ~~((court may impose any))~~ sentence ~~((it deems appropriate within the statutory term. If the court sentences outside the standard range, it shall set forth its justification for doing so in written findings and~~

conclusions, and any sentence outside the standard range shall be)) is subject to review only as provided for in RCW 9.94A.210(4).

The following are illustrative factors which the court may consider in the exercise of its discretion to impose an exceptional sentence:

Mitigating Circumstances

(1) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(2) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(3) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(4) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(5) The defendant's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law, was significantly impaired (voluntary use of drugs or alcohol is excluded).

(6) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(7) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

Aggravating Circumstances

(1) The defendant's conduct during the commission of the offense manifested deliberate cruelty to the victim.

(2) The defendant knew or should have known that the victim of the offense was particularly vulnerable or incapable of resistance due to extreme youth, advanced age, disability, or ill health.

(3) The offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(a) The offense involved multiple victims or multiple incidents per victim;

(b) The offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(c) The offense involved a high degree of sophistication or planning or occurred over a lengthy period of time;

(d) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the offense.

(4) The offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify an offense as a major VUCSA:

(a) The offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so; or

(b) The offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use; or

(c) The offense involved the manufacture of controlled substances for use by other parties; or

(d) The offender possessed a firearm during the commission of the offense; or

(e) The circumstances of the offense reveal the offender to have occupied a high position in the drug distribution hierarchy; or

(f) The offense involved a high degree of sophistication or planning or occurred over a lengthy period of time or involved a broad geographic area of disbursement; or

(g) The offender used his or her position or status to facilitate the commission of the offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional); or

(h) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.400.

The above considerations are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

Sec. 25. Section 11, chapter 115, Laws of 1983 and RCW 9.94A.400 are each amended to read as follows:

(1) (a) Except as provided in (b) of this subsection, whenever a person is convicted of two or more offenses, ((at least one of which is a violent offense, and the offenses arise out of separate and distinct criminal transactions, the sentences imposed shall run consecutively; provided that under this section, the presumptive sentence only for the most serious offense shall be determined by using the offender's actual criminal history score whereas the presumptive sentences for all other offenses shall be determined by using a criminal history score of zero)) the

sentence range for each offense shall be determined by using all other current and prior convictions as criminal history. All sentences so determined shall be served concurrently. Separate crimes encompassing the same criminal conduct shall be counted as one crime in determining criminal history.

(b) Whenever a person is convicted of three or more serious violent offenses, as defined in RCW 9.94A.330, arising from separate and distinct criminal conduct, the sentence range for the offense with the highest seriousness level under RCW 9.94A.320 shall be determined using the offender's prior convictions as criminal history and the sentence range for other serious violent offenses shall be determined by using a criminal history score of zero. The sentence range for any remaining offenses shall be determined according to (a) of this subsection. All sentences imposed under (b) of this subsection shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection.

(2) Whenever a person while under sentence of felony commits another felony and is sentenced to another term of imprisonment, the latter term shall not begin until expiration of all prior terms.

(3) ((Whenever a person is convicted of two or more offenses, and either: (a) All of the offenses are nonviolent and they arise out of separate and distinct criminal transactions; or (b) at least one of the offenses is a violent offense but they all arise out of the same criminal transaction, the sentences imposed shall run concurrently; provided that the presumptive sentence for the most serious offense shall be enhanced by counting all other current offenses as prior offenses for purposes of calculating the criminal history score.

(4) Whenever a person is convicted of two or more nonviolent offenses which all arise out of the same criminal transaction, the sentences imposed shall run concurrently)) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence of a felony, the sentence shall run consecutively with felony sentences previously imposed by any court in this or another state or by a federal court, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, this sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) However, in the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community service, community supervision, or any other requirement or conditions of any of the sentences.

Sec. 26. Section 12, chapter 115, Laws of 1983 and RCW 9.94A.410 are each amended to read as follows:

For persons convicted of ((attempted offenses or conspiracies to commit an offense)) the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the presumptive sentence is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the ((conviction)) crime, and multiplying the range by 75 percent.

NEW SECTION. Sec. 27. There is added to chapter 71.06 RCW a new section to read as follows:

With respect to sexual psychopaths, this chapter applies only to crimes or offenses committed before July 1, 1984.

Sec. 28. Section 2, chapter 17, Laws of 1967 as last amended by section 1, chapter 160, Laws of 1979 ex. sess. and RCW 72.65.020 are each amended to read as follows:

(1) The secretary is authorized to extend the limits of the place of confinement and treatment within the state of any prisoner convicted of a felony, sentenced to a term of confinement and treatment by the superior court, and serving such sentence in a state correctional institution under the jurisdiction of the department, by authorizing a work release plan for such prisoner, permitting him, under prescribed conditions, to do any of the following:

(a) Work at paid employment.

(b) Participate in a vocational training program: PROVIDED, That the tuition and other expenses of such a vocational training program shall be paid by the prisoner, by someone in his behalf, or by the department: PROVIDED FURTHER, That any expenses paid by the department shall be recovered by the department pursuant to the terms of RCW 72.65.050.

(c) Interview or make application to a prospective employer or employers, or enroll in a suitable vocational training program.

Such work release plan of any prison shall require that he be confined during the hours not reasonably necessary to implement the plan, in (1) a state correctional institution, (2) a county or city jail, which jail has been approved after inspection pursuant to RCW ((72.01-420)) 70.48.050, or (3) any other appropriate, supervised facility, after an agreement has been entered into between the department and the appropriate authorities of the facility for the housing of work release prisoners.

(2) ((The secretary may lease or permit the use of a portion of any correctional facility, including necessary buildings, for a term not to exceed twenty years, to a private business

organization for the purpose of establishing and operating a commercial enterprise deemed by the secretary to be consistent with the appropriate training and rehabilitation of prisoners.

Any business organization operating a commercial enterprise under this section may employ any inmates of the institution upon whose grounds it operates after such inmates have been authorized by the secretary to participate in the program. For the purposes of Washington law, the inmates participating in the program are deemed work releasees and are subject to all of the provisions of chapter 72.65 RCW.

Participants in the program are deemed to be parolees within the purview of 49 U.S.C. Sec. 60, and, except as prohibited by applicable provisions of the United States Code, prisoner participants in the program may be employed in the manufacture and processing of goods, wares, and merchandise for introduction into interstate commerce.

Any business organization established or participating in the program authorized under this section shall be deemed a private enterprise and subject to all the laws, rules, and regulations of this state governing the operation of similar business enterprises elsewhere in the state, and shall in no event pay prisoner participants in the program less than sixty percent of the prevailing wages for work of a similar nature performed by employees with similar skills in the locality in which the work is being performed: PROVIDED: That the provisions of this subsection (2) shall expire and be of no further force and effect after January 1, 1984. This section applies only to persons sentenced for crimes that were committed before July 1, 1984.

Sec. 29, Section 3, chapter 17, Laws of 1967 as amended by section 276, chapter 141, Laws of 1979 and RCW 72.65.030 are each amended to read as follows:

(1) Any prisoner serving a sentence in a state correctional institution may make application to participate in the work release program to the superintendent of the institution in which he is confined. Such application shall set forth the name and address of his proposed employer or employers or shall specify the vocational training program, if any, in which he is enrolled. It shall include a statement to be executed by such prisoner that if his application be approved he agrees to abide faithfully by all terms and conditions of the particular work release plan adopted for him. It shall further set forth such additional information as the department or the secretary shall require.

(2) This section applies only to persons sentenced for crimes that were committed before July 1, 1984.

Sec. 30, Section 4, chapter 17, Laws of 1967 as amended by section 277, chapter 141, Laws of 1979 and RCW 72.65.040 are each amended to read as follows:

(1) The superintendent of the state correctional institution in which a prisoner who has made application to participate in the work release program is confined, after careful study of the prisoner's conduct, attitude and behavior within the institutions under the jurisdiction of the department, his criminal history and all other pertinent case history material, shall determine whether or not there is reasonable cause to believe that the prisoner will honor his trust as a work release participant. After having made such determination, the superintendent, in his discretion, may deny the prisoner's application, or recommend to the secretary, or such officer of the department as the secretary may designate, that the prisoner be permitted to participate in the work release program. The secretary or his designee, may approve, reject, modify, or defer action on such recommendation. In the event of approval, the secretary or his designee, shall adopt a work release plan for the prisoner, which shall constitute an extension of the limits of confinement and treatment of the prisoner when released pursuant thereto, and which shall include such terms and conditions as may be deemed necessary and proper under the particular circumstances. The plan shall be signed by the prisoner under oath that he will faithfully abide by all terms and conditions thereof. Further, as a condition, the plan shall specify where such prisoner shall be confined when not released for the purpose of the work release plan. At any time after approval has been granted to any prisoner to participate in the work release program, such approval may be revoked, and if the prisoner has been released on a work release plan, he may be returned to a state correctional institution, or the plan may be modified, in the sole discretion of the secretary or his designee. Any prisoner who has been initially rejected either by the superintendent or the secretary or his designee, may reapply for permission to participate in a work release program after a period of time has elapsed from the date of such rejection. This period of time shall be determined by the secretary or his designee, according to the individual circumstances in each case.

(2) This section applies only to persons sentenced for crimes that were committed before July 1, 1984.

Sec. 31, Section 38, chapter 138, Laws of 1981 (uncodified) is amended to read as follows: The following acts or parts of acts are hereby repealed, effective July 1, 1984:

(1) Section 1, chapter 175, Laws of 1969 ex. sess. and RCW 9.41.025(;

(2) Section 2, chapter 17, Laws of 1967, section 275, chapter 141, Laws of 1979, section 1, chapter 160, Laws of 1979 ex. sess. and RCW 72.65.020;

(3) Section 3, chapter 17, Laws of 1967, section 275, chapter 141, Laws of 1979 and RCW 72.65.030; and

(4) Section 4, chapter 17, Laws of 1967, section 277, chapter 141, Laws of 1979 and RCW 72.65.040).

NEW SECTION. Sec. 32. Section 27, chapter 137, Laws of 1981 and RCW 9.94A.900 are each repealed.

NEW SECTION. Sec. 33. Sections 1 through 26 of this act shall take effect on July 1, 1984, and sections 27 through 32 of this act shall take effect June 30, 1984." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to Substitute House Bill No. 1247.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1247 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1247 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1247 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1279 with the following amendments:

On page 2, line 15 after "RCW" insert ", chapter 41.05 RCW, RCW 43.01.040 through 43.01.044, chapter 41.04 RCW and chapter 41.40 RCW"

On page 6, line 7 strike all of section 3 and insert:

NEW SECTION. Sec. 3. There is added to chapter 41.05 RCW a new section to read as follows:

The provisions of this chapter shall not be applicable to the officers and employees of the nonprofit corporation formed under chapter 67.40 RCW.

NEW SECTION. Sec. 4. There is added to chapter 43.01 RCW a new section to read as follows:

The provisions of RCW 43.01.040 through 43.01.044 shall not be applicable to the officers and employees of the nonprofit corporation formed under chapter 67.40 RCW.

NEW SECTION. Sec. 5. There is added to chapter 41.04 RCW a new section to read as follows:

The provisions of this chapter shall not be applicable to the officers and employees of the nonprofit corporation formed under chapter 67.40 RCW.

NEW SECTION. Sec. 6. There is added to chapter 41.40 RCW a new section to read as follows:

The provisions of this chapter shall not be applicable to the officers and employees of the nonprofit corporation formed under chapter 67.40 RCW."

Renumber the remaining sections consecutively.

On page 6, after line 14 insert:

NEW SECTION. Sec. 4. This act shall not terminate or modify any right acquired under a contract of employment in existence prior to the effective date of this act.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Niemi, the House concurred in the Senate amendments to Substitute House Bill No. 1279.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1279 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1279 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Loven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Belcher, Locke, Lux - 3.

Substitute House Bill No. 1279 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1378 with the following amendment:

On page 18, after line 29, insert the following:

*NEW SECTION. Sec. 19. There is added to chapter 72.09 RCW a new section to read as follows:

(1) In recognition of the hazardous nature of employment in state correctional institutions, the legislature hereby provides a supplementary program to reimburse employees of the department of corrections for some of their costs attributable to their being the victims of inmate assaults. This program shall be limited to the reimbursement provided in this section.

(2) An employee is only entitled to receive the reimbursement provided in this section if the secretary of corrections, or the secretary's designee, finds that each of the following has occurred:

(a) An inmate has assaulted the employee and as a result thereof the employee has sustained injuries which have required the employee to miss days of work; and

(b) The assault cannot be attributable to any extent to the employee's negligence, misconduct, or failure to comply with any rules or conditions of employment.

(3) The reimbursement authorized under this section shall be as follows:

(a) The employee's accumulated sick leave days shall not be reduced for the workdays missed:

(b) For each workday missed for which the employee is not eligible to receive compensation under chapter 51.32 RCW, the employee shall receive full pay; and

(c) In respect to workdays missed for which the employee will receive or has received compensation under chapter 51.32 RCW, the employee shall be reimbursed in an amount which, when added to that compensation, will result in the employee receiving full pay for the workdays missed.

(4) Reimbursement under this section may not last longer than three hundred sixty-five consecutive days after the date of the injury.

(5) The employee shall not be entitled to the reimbursement provided in subsection (3) of this section for any workday for which the secretary, or the secretary's designee, finds that the employee has not diligently pursued his or her compensation remedies under chapter 51.32 RCW.

(6) The reimbursement shall only be made for absences which the secretary, or the secretary's designee, believes are justified.

(7) While the employee is receiving reimbursement under this section, he or she shall continue to be classified as a state employee and the reimbursement amount shall be considered as salary or wages.

(8) All reimbursement payments required to be made to employees under this section shall be made by the department of corrections. The payments shall be considered as a salary or wage expense and shall be paid by the department in the same manner and from the same appropriations as other salary and wage expenses of the department.

(9) Should the legislature revoke the reimbursement authorized under this section or repeal this section, no affected employee is entitled thereafter to receive the reimbursement as a matter of contractual right."

On page 1, line 20 of the title, after "43.01 RCW;" insert "adding a new section to chapter 72.09 RCW;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Niemi, the House concurred in the Senate amendment to House Bill No. 1378.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 1378, as amended by the Senate.

Mr. B. Williams spoke against passage of the bill.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1378 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 53; nays, 45; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, West, Williams B, Williams J, Wilson - 45.

House Bill No. 1378 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1438 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 70.105 RCW a new section to read as follows:

(1) Independent of the processing or issuance of any or all federal, state, and local permits for disposal of dangerous wastes, no disposal of dangerous wastes at a commercial off-site land disposal facility may be undertaken prior to July 1, 1986, unless:

(a) The disposal results from actions taken under RCW 70.105A.060 (2) and (3), or results from other emergency situations; or

(b) Studies undertaken by the department under RCW 70.105.160 to determine the best management practices for various waste categories under the priority waste management methods established in RCW 70.105.150 are completed for the particular wastes or waste categories to be disposed of and any regulatory revisions deemed necessary by the department are proposed and do not prohibit land disposal of such wastes; or

(c) Final regulations have been adopted by the department that allow for such disposal.

(2) Construction of facilities used solely for the purpose of disposal of wastes that have not met the requirements of subsection (1) of this section shall not be undertaken by any developer of a dangerous waste disposal facility.

(3) The department shall prioritize the studies of waste categories undertaken under RCW 70.105.160 to provide initial consideration of those categories most likely to be suitable for land disposal. Any regulatory changes deemed necessary by the department shall be proposed and subjected to the rule-making process by category as the study of each waste category is completed. All of the study shall be completed, and implementing regulations proposed, by July 1, 1986.

(4) Any final permit issued by the department before the adoption of rules promulgated as a result of the study conducted under RCW 70.105.160 shall be modified as necessary to be consistent with such rules.

Sec. 2. Section 2, chapter 70, Laws of 1983 1st ex. sess. and RCW 70.105.160 are each amended to read as follows:

The department shall conduct a study to determine the best management practices for categories of waste for the priority waste management methods established in RCW 70.105.150, with due consideration in the course of the study to sound environmental management and available technology. As an element of the study, the department shall review methods that will help achieve the priority of RCW 70.105.150(1)(a), waste reduction. Before issuing any proposed regulations, the department shall conduct public hearings regarding the best management practices for the various waste categories studied by the department. After conducting the study, the department shall prepare new rules or modify existing rules as appropriate to promote implementation of the priorities established in RCW 70.105.150 for management practices which assure use of sound environmental management techniques and available technology. The preliminary study shall be completed by July 1, 1986, and the rules shall be adopted by July 1, 1987. The solid waste advisory committee shall review the studies and the new or modified rules and submit recommendations to the legislature by January 1, 1988, regarding policy options (such as fee incentives, disposal bans, etc.) that will be used to reduce the production of dangerous and extremely hazardous waste in Washington state.

The studies shall be updated at least once every five years. The funding for these studies shall be from the hazardous waste control and elimination account, subject to legislative appropriation.

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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House concurred in the Senate amendment to Substitute House Bill No. 1438.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1438, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1438 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1438 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1514 with the following amendments:

On page 2, beginning on line 24, strike all material down to and including line 20 on page 3

On page 1, line 1 of the title, after "jails;" insert "and"

On page 1, line 3 of the title, after "13.04.030" strike all material down to and including "13.04.115"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendments to Substitute House Bill No. 1514.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1514, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1514 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1514 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1526 with the following amendments:

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

"Sec. 5. Section 3, chapter 172, Laws of 1967 as last amended by section 6, chapter 118, Laws of 1982 and RCW 74.15.030 are each amended to read as follows:

The secretary shall have the power and it shall be ~~((his))~~ the secretary's duty:

(1) In consultation with the children's services advisory committee, and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of facilities for which separate or different requirements shall be developed as may be appropriate whether because of variations in the ages, sex and other characteristics of persons served, variations in the purposes and services offered or size or structure of the agencies to be licensed hereunder, or because of any other factor relevant thereto;

(2) In consultation with the children's services advisory committee, and with the advice and assistance of persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed.

The minimum requirements shall be limited to:

(a) The size and suitability of a facility and the plan of operation for carrying out the purpose for which an applicant seeks a license;

(b) The character, suitability and competence of an agency and other persons associated with an agency directly responsible for the care and treatment of children, expectant mothers or developmentally disabled persons. ~~((in investigating the character of an agency and the persons employed by or under contract to an agency, the secretary may have access to conviction records or pending charges of the agencies and its staff.))~~ In consultation with law

enforcement personnel, the secretary shall investigate the conviction record or pending charges of each agency and its staff seeking licensure or relicensure. Such investigation shall include an examination of the child abuse and neglect register established under chapter 26.44 RCW on all agencies seeking a license under this chapter. The secretary shall use the information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children, expectant mothers, and developmentally disabled persons, and shall safeguard the information in the same manner as the child abuse registry established in RCW 26.44.070. Criminal justice agencies shall provide the secretary such information as they may have and that the secretary may require for such purpose;

(c) The number of qualified persons required to render the type of care and treatment for which an agency seeks a license;

(d) The safety, cleanliness, and general adequacy of the premises to provide for the comfort, care and well-being of children, expectant mothers or developmentally disabled persons;

(e) The provision of necessary care, including food, clothing, supervision and discipline; physical, mental and social well-being; and educational, recreational and spiritual opportunities for those served;

(f) The financial ability of an agency to comply with minimum requirements established pursuant to chapter 74.15 RCW and RCW 74.13.031; and

(g) The maintenance of records pertaining to the admission, progress, health and discharge of persons served.

(3) To investigate any person, including relatives by blood or marriage except for parents, for character, suitability, and competence in the care and treatment of children, expectant mothers, and developmentally disabled persons prior to authorizing that person to care for children, expectant mothers, and developmentally disabled persons.

(4) To issue, revoke, or deny licenses to agencies pursuant to chapter 74.15 RCW and RCW 74.13.031. Licenses shall specify the category of care which an agency is authorized to render and the ages, sex and number of persons to be served;

~~((4))~~ (5) To prescribe the procedures and the form and contents of reports necessary for the administration of chapter 74.15 RCW and RCW 74.13.031 and to require regular reports from each licensee;

~~((5))~~ (6) To inspect agencies periodically to determine whether or not there is compliance with chapter 74.15 RCW and RCW 74.13.031 and the requirements adopted hereunder;

~~((6))~~ (7) To review requirements adopted hereunder at least every two years and to adopt appropriate changes after consultation with the children's services advisory committee; and

~~((7))~~ (8) To consult with public and private agencies in order to help them improve their methods and facilities for the care of children, expectant mothers and developmentally disabled persons."

On page 1, line 7 of the title, after "13.34.060;" strike "and"

On page 1, line 10 of the title, after "13.34.130" insert "; and amending section 3, chapter 172, Laws of 1967 as last amended by section 6, chapter 118, Laws of 1982 and RCW 74.15.030" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendments to House Bill No. 1526.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 1526 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1526 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1526 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1548 with the following amendment:

On page 1, line 14 strike "may" and insert "shall" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Fisch moved that the House do concur in the Senate amendment to Substitute House Bill No. 1548.

Mr. Fisch spoke in favor of the motion, and Mr. Barnes spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Substitute House Bill No. 1548, and the motion was carried by the following vote: Yeas, 53; nays, 45; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1548 as amended by the Senate.

Representatives B. Williams, Schoon and Miller spoke against passage of the bill, and Mr. Fisch spoke in favor of it.

POINT OF INQUIRY

Mr. Fisch yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Fisch, I'm a registrar back home and for each person I register to vote I receive fifty cents. Under your bill the people who are designated by their department heads to be a registrar--if they receive fifty cents for each person they register--does that money, if they are registering on company time, does that go to them or does that go to their agency?"

Mr. Fisch: "As far as I know, there is no provision for any reimbursement on this, which would make this entirely different from what you are speaking about."

Representatives Tilly, Padden and Barnes opposed passage of the bill, and Representatives Charnley and Pruitt spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1548 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 51; nays, 47; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett,

Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 47.

Substitute House Bill No. 1548 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 22, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1564 with the following amendments:

On page 2, line 20 strike all of subsection (a) and reletter the remaining subsections accordingly.

On page 2, line 23 after "misconduct" strike the semicolon and insert ": PROVIDED, That when a person's employment or membership is terminated for misconduct, a conversion policy shall be offered to the spouse and/or dependents of the terminated employee or member. The policy shall include in the conversion provisions the same conversion rights and conditions which are available to employees or members and their spouses and/or dependents who are terminated for reasons other than misconduct."

On page 3, line 1 after "person" strike "obtains" and insert "is eligible to obtain"

On page 4, line 15 after "contract" strike "issued, renewed, or amended" and insert "entered into or renewed"

On page 4, line 22 strike all of subsection (a) and reletter the remaining subsections accordingly.

On page 4, line 25 after "misconduct" strike the semicolon and insert ": PROVIDED, That when a person's employment or membership is terminated for misconduct, a conversion policy shall be offered to the spouse and/or dependents of the terminated employee or member. The policy shall include in the conversion provisions the same conversion rights and conditions which are available to employees or members and their spouses and/or dependents who are terminated for reasons other than misconduct."

On page 5, line 5 after "person" strike "obtains" and insert "is eligible to obtain"

On page 6, line 20 after "agreement" strike "issued, renewed, or amended" and insert "entered into or renewed"

On page 6, line 28 strike all of subsection (a) and reletter the remaining subsections accordingly.

On page 6, line 31 after "misconduct" strike the semicolon and insert ": PROVIDED, That when a person's employment or membership is terminated for misconduct, a conversion policy shall be offered to the spouse and/or dependents of the terminated employee or member. The policy shall include in the conversion provisions the same conversion rights and conditions which are available to employees or members and their spouses and/or dependents who are terminated for reasons other than misconduct."

On page 7, line 11 after "person" strike "obtains" and insert "is eligible to obtain"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Lux, the House concurred in the Senate amendments to Substitute House Bill No. 1564.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1564 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1564 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,

Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1564 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1627 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that there is an urgent need for vigorous enforcement of child support obligations, and that stronger and more efficient statutory remedies need to be established to supplement and complement the remedies provided in chapters 26.09, 26.21, 26.26, 74.20, and 74.20A RCW.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Dependent child' means any child for whom a support order has been established or for whom a duty of support is owed.

(2) 'Duty of support' means the duty to provide for the needs of a dependent child, which may include necessary food, clothing, shelter, education, and health care. The duty includes any obligation to make monetary payments, to pay expenses, or to reimburse another person or an agency for the cost of necessary support furnished a dependent child. The duty may be imposed by court order, by operation of law, or otherwise.

(3) 'Obligee' means the custodian of a dependent child, or person or agency, to whom a duty of support is owed, or the person or agency to whom the right to receive or collect support has been assigned.

(4) 'Obligor' means the person owing a duty of support.

(5) 'Support order' means any judgment, decree, or order of support issued by the superior court or authorized agency of the state of Washington; or a judgment, decree, or other order of support issued by a court or agency of competent jurisdiction in another state or country, which has been registered or otherwise made enforceable in this state.

(6) 'Employer' includes the United States government, a state or local unit of government, and any person or entity who pays or owes earnings to the obligor.

(7) '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 the payments exempt from garnishment, attachment, or other process to satisfy support obligations, 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 50.40.050, or Title 74 RCW.

(8) 'Disposable earnings' means that part of the earnings of an individual remaining after the deduction from those earnings of any amount required by law to be withheld.

NEW SECTION. Sec. 3. (1) The remedies provided in this chapter are in addition to, and not in substitution for, any other remedies provided by law.

(2) This chapter applies to any dependent child, whether born before or after the effective date of this act, and regardless of the past or current marital status of the parents.

(3) This chapter shall be liberally construed to assure that all dependent children are adequately supported.

NEW SECTION. Sec. 4. (1) A proceeding to enforce a duty of support is commenced:

(a) By filing a petition for an original action; or

(b) By motion in an existing action or under an existing cause number.

(2) Venue for the action is in the superior court of the county where the dependent child resides or is present, where the obligor resides, or where the prior support order was entered. The petition or motion may be filed by the obligee, the state, or any agency providing care or support to the dependent child. A filing fee shall not be assessed in cases brought on behalf of the state of Washington.

(3) The court retains continuing jurisdiction under this chapter until all duties of support of the obligor, including arrearages, with respect to the dependent child have been satisfied.

NEW SECTION. Sec. 5. (1) A petition or motion may be filed without notice under section 4 of this act to initiate a contempt action if an obligor fails to comply with a support order. If the

court finds there is reasonable cause to believe the obligor has failed to comply with a support order, the court may issue an order to show cause requiring the obligor to appear at a certain time and place for a hearing, at which time the obligor may appear to show cause why the relief requested should not be granted. A copy of the petition or motion shall be served on the obligor along with the order to show cause.

(2) Service of the order to show cause shall be by personal service, or in the manner provided in the civil rules of superior court or applicable statute.

(3) If the order to show cause served upon the obligor included a warning that an arrest warrant could be issued for failure to appear, the court may issue a bench warrant for the arrest of the obligor if the obligor fails to appear on the return date provided in the order.

(4) If the court finds, after hearing, that the obligor failed to comply with the support order previously entered and that the obligor has not established that he or she was unable to comply with the order, the court shall find the obligor in contempt of court. Contempt under this section is punishable by imprisonment in the county jail for a term of up to one hundred eighty days. The court may suspend all or a part of the sentence upon terms that are reasonably likely to result in compliance with the support order.

(5) If the obligor contends at the hearing that he or she lacked the means to comply with the support order, the obligor shall establish that he or she exercised due diligence in seeking employment, in conserving assets, or otherwise in rendering himself or herself able to comply with the court's order.

NEW SECTION. Sec. 6. (1) Every court order or decree establishing a child support obligation or duty of support shall state that, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month, the obligee may seek a mandatory wage assignment without prior notice to the obligor. Failure to include this provision does not affect the validity of the support order.

(2) If the support order under which the obligor owes the duty of support is not in compliance with subsection (1) of this section or if the obligee cannot show that the obligor has approved or received a copy of the court order or decree that complies with subsection (1) of this section, then notice shall be provided to the obligor at least fifteen days prior to the obligee seeking a mandatory wage assignment. The notice shall state that, if a child support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month, the obligee may seek a mandatory wage assignment without further notice to the obligor. Service of the notice shall be by personal service, or by any form of mail requiring a return receipt. The notice requirement under this subsection is not jurisdictional.

NEW SECTION. Sec. 7. (1) A petition or motion seeking a mandatory wage assignment in an action under section 4 of this act may be filed by an obligee if the obligor is more than fifteen days past due in child support payments in an amount equal to or greater than the support payable for one month. The petition or motion shall include a sworn statement by the obligee, stating the facts authorizing the issuance of the wage assignment order, including:

(a) That the obligor, stating his or her name and residence, is more than fifteen days past due in child support payments in an amount equal to or greater than the support payable for one month;

(b) A description of the terms of the support order requiring payment of support, and the amount past due;

(c) The name and address of the obligor's employer;

(d) That notice has been provided to the obligor as required by section 6 of this act; and

(e) In cases not filed by the state, whether the obligee has received public assistance from any source and, if the obligee has received public assistance, that the department of social and health services has been notified in writing of the pending action.

(2) If the court in which a mandatory wage assignment is sought does not already have a copy of the support order in the court file, then the obligee shall attach a copy of the support order to the petition or motion seeking the wage assignment.

NEW SECTION. Sec. 8. Upon receipt of a petition or motion seeking a mandatory wage assignment that complies with section 7 of this act, the court shall issue a wage assignment order, as provided in section 10 of this act and including the information required in section 9(1) of this act, directed to the employer, and commanding the employer to answer the order on the forms served with the order that comply with section 12 of this act within twenty days after service of the order upon the employer.

NEW SECTION. Sec. 9. (1) The wage assignment order in section 8 of this act shall include:

(a) The maximum amount of current support, if any, to be withheld from the obligor's earnings each month, or from each earnings disbursement; and

(b) The total amount of the arrearage or reimbursement judgment previously entered by the court, if any, together with interest, if any.

(2) The total amount to be withheld from the obligor's earnings each month, or from each earnings disbursement, shall not exceed fifty percent of the disposable earnings of the obligor. If the amounts to be paid toward the arrearage are specified in the support order, then the maximum amount to be withheld is the sum of the current support ordered and the amount

ordered to be paid toward the arrearage, or fifty percent of the disposable earnings of the obligor, whichever is less.

(3) The provisions of RCW 7.33.280 do not apply to wage assignments for child support authorized under this chapter, but fifty percent of the disposable earnings of the obligor are exempt, and may be disbursed to the obligor.

(4) If an obligor is subject to two or more attachments for child support on account of different obligees, the employer shall, if the nonexempt portion of the obligor's earnings is not sufficient to respond fully to all the attachments, apportion the obligor's nonexempt disposable earnings between or among the various obligees equally. Any obligee may seek a court order reapportioning the obligor's nonexempt disposable earnings upon notice to all interested obligees. Notice shall be by personal service, or in the manner provided by the civil rules of superior court or applicable statute.

NEW SECTION. Sec. 10. The wage assignment order shall be substantially in the following form:

IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON IN AND FOR THE COUNTY OF

.....	Obligee	No.
.....	vs.	
.....	Obligor	WAGE ASSIGNMENT
.....		ORDER
.....	Employer	
THE STATE OF WASHINGTON TO:	Employer
AND TO:	Obligor

The above-named obligee claims that the above-named obligor is more than fifteen days past due in child support payments in an amount equal to or greater than the child support payable for one month. The amount of the accrued child support debt as of this date is dollars, the amount of arrearage payments specified in the support order (if applicable) is dollars per, and the amount of the current and continuing support obligation under the support order is dollars per

You are hereby commanded to answer this order by filing in the attached form according to the instructions, and you must mail or deliver the original of the answer to the court, one copy to the obligee or obligee's attorney, and one copy to the obligor within twenty days after service of this wage assignment order upon you.

If you possess any earnings due and owing to the obligor, then you shall do as follows:

(1) Withhold from the obligor's earnings each month, or from each regular earnings disbursement, the lesser of:

- (a) The sum of the accrued support debt and the current support obligation;
- (b) The sum of the specified arrearage payment amount and the current support obligation; or
- (c) Fifty percent of the disposable earnings of the obligor.

(2) The total amount withheld above is subject to the wage assignment order, and all other sums may be disbursed to the obligor.

You shall continue to withhold the ordered amounts from nonexempt earnings of the obligor until notified by the court that the wage assignment has been modified or terminated. You shall promptly notify the court if and when the employee is no longer employed by you.

You shall deliver the withheld earnings to the clerk of the court that issued this wage assignment order at each regular pay interval, but the first delivery shall occur no sooner than twenty days after your receipt of this wage assignment order.

You shall deliver a copy of this order to the obligor as soon as is reasonably possible. This wage assignment order has priority over any other wage assignment or garnishment, except for another wage assignment or garnishment for child support, or order to withhold or deliver under chapter 74.20A RCW.

WHETHER OR NOT YOU OWE ANYTHING TO THE
OBLIGOR, YOUR FAILURE TO ANSWER
AS REQUIRED MAY MAKE YOU LIABLE FOR OBLIGOR'S
CLAIMED SUPPORT DEBT TO THE OBLIGEE
OR SUBJECT TO CONTEMPT OF COURT.

NOTICE TO OBLIGOR: YOU HAVE A RIGHT TO REQUEST A HEARING IN THE SUPERIOR COURT THAT ISSUED THIS WAGE ASSIGNMENT ORDER, TO REQUEST THAT THE COURT QUASH, MODIFY, OR TERMINATE THE WAGE ASSIGNMENT ORDER.

DATED THIS ... day of ... 19

.....
Obligee,

.....
Judge/Court Commissioner

or obligee's attorney

NEW SECTION. Sec. 11. (1) An employer upon whom service of a wage assignment order has been made shall answer the order by sworn affidavit within twenty days after the date of service. The answer shall state whether the obligor is employed by or receives earnings from the employer, whether the employer will honor the wage assignment order, and whether there are multiple child support attachments against the obligor.

(2) If the employer possesses any earnings due and owing to the obligor, the earnings subject to the wage assignment order shall be withheld immediately upon receipt of the wage assignment order. The withheld earnings shall be delivered to the clerk of the court that issued the wage assignment order at each regular pay interval, but the first delivery shall occur no sooner than twenty days after receipt of the wage assignment order.

(3) The employer shall continue to withhold the ordered amounts from nonexempt earnings of the obligor until notified by the court that the wage assignment has been modified or terminated. The employer shall promptly notify the court when the employee is no longer employed.

(4) The employer may deduct a processing fee from the remainder of the employee's earnings after withholding under the wage assignment order, even if the remainder is exempt under section 9 of this act. The processing fee may not exceed (a) ten dollars for the first disbursement made by the employer to the superior court clerk; and (b) one dollar for each subsequent disbursement to the clerk.

(5) An order for wage assignment for support entered under this chapter shall have priority over any other wage assignment or garnishment, except for another wage assignment or garnishment for child support, or order to withhold and deliver under chapter 74.20A RCW.

(6) An employer who fails to withhold earnings as required by a wage assignment issued under this chapter may be held liable for the amounts disbursed to the obligor in violation of the wage assignment order, and may be found by the court to be in contempt of court and may be punished as provided by law.

(7) No employer who complies with a wage assignment issued under this chapter may be liable to the employee for wrongful withholding.

(8) No employer may discharge, discipline, or refuse to hire an employee because of the entry or service of a wage assignment issued and executed under this chapter. A person who violates this subsection may be found by the court to be in contempt of court and may be punished as provided by law.

(9) An employer may combine amounts withheld from various employees into a single payment to the superior court clerk, if the payment includes a listing of the amounts attributable to each employee and other information as required by the clerk.

(10) An employer shall deliver a copy of the wage assignment order to the obligor as soon as is reasonably possible.

NEW SECTION. Sec. 12. The answer of the employer shall be made on forms, served on the employer with the wage assignment order, substantially as follows:

IN THE SUPERIOR COURT OF THE STATE OF
WASHINGTON IN AND FOR THE COUNTY OF

.....	No.
Obligee	
vs.	ANSWER
.....	TO WAGE
Obligor	ASSIGNMENT ORDER
.....	

Employer

1. At the time of the service of the wage assignment order on the employer, was the above-named obligor employed by or receiving earnings from the employer?

Yes No (check one).

2. Are there any other attachments for child support currently in effect against the obligor?

Yes No (check one).

3. If the answer to question one is yes and the employer cannot comply with the wage assignment order, provide an explanation:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

.....
Signature of employer	Date and place
.....

.....
Signature of person answering for employer	Address for future notice to employer
.....

.....
Connection with employer

NEW SECTION. Sec. 13. (1) Service of the wage assignment order on the employer is invalid unless it is served with four answer forms in substantial conformance with section 12 of this act, together with stamped envelopes addressed to, respectively, the clerk of the court where the order was issued, the obligee's attorney or the obligee, and the obligor. The obligee shall also include an extra copy of the wage assignment order for the employer to deliver to the obligor. Service on the employer shall be in person or by any form of mail requiring a return receipt.

(2) On or before the date of service of the wage assignment order on the employer, the obligee shall mail or cause to be mailed by certified mail a copy of the wage assignment order to the obligor at the obligor's last known post office address; or, in the alternative, a copy of the wage assignment order shall be served on the obligor in the same manner as a summons in a civil action on, before, or within two days after the date of service of the order on the employer. This requirement is not jurisdictional, but if the copy is not mailed or served as this subsection provides, or if any irregularity appears with respect to the mailing or service, the superior court, in its discretion, may quash the wage assignment order, upon motion of the obligor promptly made and supported by an affidavit showing that the obligor has suffered substantial injury due to the failure to mail or serve the copy.

NEW SECTION. Sec. 14. In a hearing to quash, modify, or terminate the wage assignment order, the court may grant relief only upon a showing that the wage assignment order causes extreme hardship or substantial injustice. Satisfaction by the obligor of all past due payments subsequent to the issuance of the wage assignment order is not grounds to quash, modify, or terminate the wage assignment order. If a wage assignment order has been in operation for twelve consecutive months and the obligor's support obligation is current, the court may terminate the order upon motion of the obligor unless the obligee can show good cause as to why the wage assignment order should remain in effect.

NEW SECTION. Sec. 15. (1) In any action to enforce a support order under Title 26 RCW, the court may, in its discretion, order a parent obligated to pay support for a minor child to post a bond or other security with the court. The bond or other security shall be in the amount of support due for a two-year period. The bond or other security is subject to approval by the court. The bond shall include the name and address of the issuer. If the bond is canceled, any person issuing a bond under this section shall notify the court and the person entitled to receive payment under the order.

(2) If the parent obligated to pay support fails to make payments as required under the court order, the person entitled to receive payment may recover on the bond or other security in the existing proceeding. The court may, after notice and hearing, increase the amount of the bond or other security. Failure to comply with the court's order to obtain and maintain a bond or other security may be treated as contempt of court.

Sec. 16. Section 1, chapter 10, Laws of 1982 and RCW 6.12.100 are each amended to read as follows:

The homestead is subject to execution or forced sale in satisfaction of judgments obtained:

(1) On debts secured by mechanic's, laborer's, materialmen's or vendor's liens upon the premises;

(2) On debts secured by purchase money security agreements describing as collateral a mobile home located on the premises or mortgages on the premises, executed and acknowledged by the husband and wife or by any unmarried claimant;

(3) On one spouse's or the community's debts existing at the time of that spouse's bankruptcy filing where (a) bankruptcy is filed by both spouses within a six-month period, including as a joint case under 11 U.S.C. Sec. 302, and (b) the other spouse exempts property from property of the estate under the federal exemption provisions of 11 U.S.C. Sec. 522(b)(1);

(4) On debts arising from a lawful court order or decree or administrative order establishing a child support obligation or obligation to pay spousal maintenance.

Sec. 17. Section 11.52.010, chapter 145, Laws of 1965 as last amended by section 7, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.010 are each amended to read as follows:

If it is made to appear to the satisfaction of the court that no homestead has been claimed in the manner provided by law, either prior or subsequent to the death of the person whose estate is being administered, then the court, after hearing and upon being satisfied that the funeral expenses, expenses of last sickness and of administration have been paid or provided for, and upon petition for that purpose, shall award and set off to the surviving spouse, if any, property of the estate, either community or separate, not exceeding the value of twenty-five thousand dollars at the time of death, exclusive of general taxes and special assessments which were liens at the time of the death of the deceased spouse, ~~((and))~~ exclusive of the unpaid balance of any contract to purchase, mortgage, or mechanic's, laborer's or materialmen's liens upon the property so set off, exclusive of debts arising out of a lawful court order or decree or administrative order establishing a child support obligation or obligation to pay spousal maintenance and exclusive of funeral expenses, expenses of last sickness and administration, which expenses may be deducted from the gross value in determining the value to be set off to the surviving spouse; provided that the court shall have no jurisdiction to make such award unless the petition therefor is filed with the clerk within six years from the date of the death of the person whose estate is being administered.

Sec. 18. Section 11.52.012, chapter 145, Laws of 1965 as last amended by section 9, chapter 234, Laws of 1977 ex. sess. and RCW 11.52.012 are each amended to read as follows:

Such award shall be made by an order or judgment of the court and shall vest the absolute title, and thereafter there shall be no further administration upon such portion of the estate so set off, but the remainder of the estate shall be settled as other estates: PROVIDED, That no property of the estate shall be awarded or set off, as provided in RCW 11.52.010 through 11.52.024, as now or hereafter amended, to a surviving spouse who has feloniously killed the deceased spouse: PROVIDED FURTHER, That if it shall appear to the court, either (1) that there are children of the deceased by a former marriage or by adoption prior to decedent's marriage to petitioner, or (2) that the petitioning surviving spouse has abandoned his or her minor children or wilfully and wrongfully failed to provide for them, or (3) if such surviving spouse or minor children are entitled to receive property not subject to probate, including insurance, by reason of the death of the deceased spouse in the sum of twenty-five thousand dollars, or more, then the award in lieu of homestead and exemptions shall lie in the discretion of the court, and that whether there shall be an award and the amount thereof shall be determined by the court, which shall enter such decree as shall be just and equitable but not in excess of the award provided herein.

Sec. 19. Section 11.52.020, chapter 145, Laws of 1965 as last amended by section 9, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.020 are each amended to read as follows:

In event a homestead has been, or shall be selected in the manner provided by law, whether the selection of such homestead results in vesting the complete or partial title in the survivor, it shall be the duty of the court, upon petition of any person interested, and upon being satisfied that the value thereof does not exceed twenty-five thousand dollars at the time of the death, exclusive of general taxes and special assessments which were liens at the time of the death of the deceased and exclusive of the unpaid balance of any contract to purchase, mortgage, or mechanic's, laborer's, or materialmen's liens thereon, and exclusive of funeral expenses, expenses of last sickness and of administration, which expenses may be deducted from the gross value in determining the value to be set off to the surviving spouse, to enter a decree, upon notice as provided in RCW 11.52.014 or upon longer notice if the court so orders, setting off and awarding such homestead to the survivor, thereby vesting the title thereto in fee simple in the survivor: PROVIDED, That if there be any incompetent heirs of the decedent, the court shall appoint a guardian ad litem for such incompetent heir who shall appear at the hearing and represent the interest of such incompetent heir.

Sec. 20. Section 11.52.022, chapter 145, Laws of 1965 as last amended by section 10, chapter 124, Laws of 1977 ex. sess. and RCW 11.52.022 are each amended to read as follows:

If the value of the homestead, exclusive of all such liens, be less than twenty-five thousand dollars, the court, upon being satisfied that the funeral expenses, expenses of last sickness and of administration, have been paid or provided for, shall set off and award additional property, either separate or community, in lieu of such deficiency, so that the value of the homestead, exclusive of all such liens and expenses when added to the value of the other property awarded, exclusive of all such liens and expenses shall equal twenty-five thousand dollars: PROVIDED, That if it shall appear to the court, either (1) that there are children of the deceased by a former marriage or by adoption prior to decedent's marriage to petitioner, or (2) that the petitioning surviving spouse has abandoned his or her minor children or wilfully and wrongfully failed to provide for them, or (3) that such surviving spouse is, or any minor child entitled to an award under RCW 11.52.030 is, entitled to receive property not subject to probate, including insurance by reason of the death of the deceased spouse in the sum of twenty-five thousand dollars, or more, then the award of property in addition to the homestead, where the homestead is of less than twenty-five thousand dollars in value, shall lie in the discretion of the court, and that whether there shall be an award in addition to the homestead and the amount thereof shall be determined by the court, which shall enter such decree as shall be just and equitable, but not in excess of the award provided herein.

NEW SECTION. Sec. 21. There is added to chapter 26.09 RCW a new section to read as follows:

Every court order or decree establishing a child support obligation shall state that, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month, the obligee of the support payments may seek a mandatory wage assignment under chapter 26.____ RCW (sections 1 through 15, 24, and 25 of this act) without prior notice to the obligor. Failure to include this provision does not affect the validity of the support order. If the social security number of the person obligated to make child support payments under the support order or decree is available, the court shall require that the social security number of the obligor be included in the order or decree.

NEW SECTION. Sec. 22. There is added to chapter 26.21 RCW a new section to read as follows:

Every court order or decree establishing a child support obligation shall state that, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month, the obligee of the support payments may seek a mandatory

wage assignment under chapter 26. RCW (sections 1 through 15, 24, and 25 of this act) without prior notice to the obligor. Failure to include this provision does not affect the validity of the support order. If the social security number of the person obligated to make child support payments under the support order or decree is available, the court shall require that the social security number of the obligor be included in the order or decree.

NEW SECTION. Sec. 23. There is added to chapter 26.26 RCW a new section to read as follows:

Every court order or decree establishing a child support obligation shall state that, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month, the obligee of the support payments may seek a mandatory wage assignment under chapter 26. RCW (sections 1 through 15, 24, and 25 of this act) without prior notice to the obligor. Failure to include this provision does not affect the validity of the support order. If the social security number of the person obligated to make child support payments under the support order or decree is available, the court shall require that the social security number of the obligor be included in the order or decree.

NEW SECTION. Sec. 24. Nothing in this chapter limits the authority of the attorney general or prosecuting attorney to use any and all civil and criminal remedies to enforce child support obligations regardless of whether or not the custodial parent receives public assistance payments.

NEW SECTION. Sec. 25. In any action to enforce a support order under this chapter, the prevailing party is entitled to a recovery of costs, including an award for reasonable attorney fees. An obligor may not be considered a prevailing party under this section unless the obligee has acted in bad faith in connection with the proceeding in question.

Sec. 26. Section 1, chapter 28, Laws of 1913 as last amended by section 34, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.030 are each amended to read as follows:

(1) ~~(Every)~~ Any person who(~~:~~

~~(a))~~ has a child dependent upon him or her for care, education or support and deserts such child in any manner whatever with intent to abandon ~~it~~~~(-or)~~ is guilty of the crime of family abandonment.

~~((b))~~ ~~Willfully omits, without lawful excuse, to furnish necessary food, clothing, shelter, or medical attendance for his or her child or stepchild or children or stepchildren or ward or wards. PROVIDED, That with regard to stepchildren the obligation shall cease upon termination of the relationship of husband and wife; or~~

~~(c) Has sufficient ability to provide for support of such person's spouse or is able to earn the means for such person's spouse support and willfully abandons and leaves such person's spouse in a destitute condition, or who refuses or neglects to provide such person's spouse with necessary food, clothing, shelter, or medical attendance, unless the abandonment is justified by misconduct of the abandoned spouse, shall be guilty of the crime of family desertion or nonsupport.~~

~~(2) When children are involved under the age of sixteen years, such act shall be a felony and punished by imprisonment in the state penitentiary for not more than twenty years or by imprisonment in the county jail for not more than one year or by fine of not more than one thousand dollars or by both fine and imprisonment;~~

~~(3) When there is no child under sixteen years, such act shall be a gross misdemeanor and shall be punished by imprisonment in the county jail for not more than one year or by fine of not more than one thousand dollars, or by both fine and imprisonment;))~~

~~(2) The crime of family abandonment is a class C felony under chapter 9A.20 RCW.~~

NEW SECTION. Sec. 27. There is added to chapter 26.20 RCW a new section to read as follows:

(1) Any person who is able to provide support, or has the ability to earn the means to provide support, and who:

(a) Willfully omits to provide necessary food, clothing, shelter, or medical attendance to a child dependent upon him or her; or

(b) Willfully omits to provide necessary food, clothing, shelter, or medical attendance to his or her spouse,
is guilty of the crime of family nonsupport.

(2) The crime of family nonsupport is a gross misdemeanor under chapter 9A.20 RCW.

Sec. 28. Section 3, chapter 28, Laws of 1913 as amended by section 36, chapter 154, Laws of 1973 1st. ex. sess. and RCW 26.20.080 are each amended to read as follows:

Proof of the ~~((abandonment or))~~ nonsupport of a spouse ~~((;))~~ or ~~((the desertion))~~ of a child or children, ~~((ward or wards;))~~ or the omission to furnish necessary food, clothing, shelter, or medical attendance for a spouse, or for a child or children, ~~((ward or wards;))~~ is prima facie evidence that ~~((such abandonment or))~~ the nonsupport ~~((;))~~ or omission to furnish food, clothing, shelter, or medical attendance is wilful. The provisions of RCW 26.20.030 ~~((as now or hereafter amended))~~ and section 27 of this 1984 act are applicable ~~((whether the parents of such child or children are married or divorced and regardless of any decree made in said divorce action~~

~~relative to alimony or to the support of the spouse or child or children)) regardless of the marital status of the person who has a child dependent upon him or her, and regardless of the nonexistence of any decree requiring payment of support or maintenance.~~

Sec. 29. Section 5, chapter 322, Laws of 1959 as last amended by section 20, chapter 201, Laws of 1982 and RCW 74.20.040 are each amended to read as follows:

(1) Whenever the department of social and health services receives an application for public assistance on behalf of a child, the department shall take appropriate action under the provisions of this chapter, chapter 74.20A RCW, or other appropriate statutes of this state to establish or enforce support obligations against the parent or other persons owing a duty to pay support moneys.

~~((The department shall collect data from cases of support under RCW 74.20.270 where there is no court-ordered support obligation. Such data shall include: income characteristics of those obligated to pay support, obligation established, and resulting payments. The department shall report its findings to the appropriate legislative committees by January 1, 1983. The department shall reconsider its administrative standards under RCW 74.20.270 in light of relevant data and shall, to the extent feasible without substantial impact on aid to families with dependent children, bring those standards into conformity with payment standards based on actual experience.))~~

(2) The secretary may accept applications for support enforcement services on behalf of persons who are not recipients of public assistance and may take action ~~((as he deems appropriate))~~ in appropriate cases to establish or enforce support obligations against the parent or other persons owing a duty to pay moneys. Applications accepted under this section may be conditioned upon the payment of a fee as required through regulation issued by the secretary. Action may be taken under the provisions of chapter 74.20 RCW, the abandonment or nonsupport statutes, or other appropriate statutes of this state, including but not limited to remedies established in chapter 74.20A RCW, to establish and enforce said support obligations. The secretary may establish by regulation, such reasonable standards as ~~((he deems))~~ may be necessary to limit applications for support enforcement services. Said standards shall take into account the income, property, or other resources already available to support said person for whom a support obligation exists.

(3) The secretary may ~~((charge))~~ collect a fee from the person obligated to pay support to compensate the department for services rendered in establishment of or enforcement of support obligations. This fee shall be ~~((agreed on in writing with the custodian or guardian of the person for whom a support obligation is owed, or that person if no custodian or guardian exists and shall be))~~ limited to not more than ten percent of any support money collected as a result of action taken by the secretary. The fee charged shall be in addition to the support obligation. In no event may the fee be collected by the department of social and health services until all current support obligations have been satisfied. The secretary shall by regulation establish reasonable fees for support enforcement services and said schedule of fees shall be made available to ~~((all applicants for support enforcement services))~~ any person obligated to pay support. The secretary may, on showing of necessity, waive or defer any such fee.

(4) ~~((The secretary may impose a fee on the individual who owes a child support or spousal support obligation with respect to all such child and spousal support obligations for which collection is made on behalf of persons who are not recipients of public assistance.))~~ Fees, due and owing, may be collected as delinquent support moneys utilizing any of the remedies in chapter 74.20 RCW, chapter 74.20A RCW, chapter 26.21 RCW, or any other remedy at law or equity available to the department or any agencies with whom it has a cooperative or contractual arrangement to establish, enforce, or collect support moneys or support obligations.

(5) The secretary may waive the fee, or any portion thereof, as a part of a compromise of disputed claims or may grant partial or total charge off of said fee if the secretary finds there are no available, practical, or lawful means by which said fee may be collected or to facilitate payment of the amount of delinquent support moneys owed.

NEW SECTION. Sec. 30. There is added to chapter 6.12 RCW a new section to read as follows:

When a homestead declaration occurs before a judgment, the judgment creditor has a lien on the value of the property in excess of the homestead exemption. This lien commences when the judgment creditor records the judgment with the auditor of the county where the property is located.

Sec. 31. Section 10, chapter 42, Laws of 1975-76 2nd ex. sess. as amended by section 6, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.26.090 are each amended to read as follows:

(1) The child shall be made a party to the action. If the child is a minor, the child shall be represented by the child's general guardian or a guardian ad litem appointed by the court subject to RCW 74.20.310. The child's mother or father may not represent the child as guardian or otherwise. The natural mother, each man presumed to be the father under RCW 26.26.040, and ~~((each))~~ a man or men alleged to be the natural father~~((s))~~ shall be made parties or, if not subject to the jurisdiction of the court, shall, if possible, be given actual notice of the action ~~((in~~

a manner prescribed by the court) and an opportunity to be heard in a manner as the court may prescribe. ~~(The court may align the parties.)~~

(2) Any party may cause to be joined as additional parties other men alleged to be the father of the child or any other person necessary for a full adjudication of the issues.

(3) The failure or inability to join as a party an alleged or presumed father does not deprive the court of jurisdiction to adjudicate some or all of the issues based on the evidence and parties available to it.

(4) If more than one party is alleged to be the father of the child, the default of a party shall not preclude the court from finding any other party to be the father of the child.

Sec. 32. Section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.26.100 are each amended to read as follows:

(1) The court may, and upon request of a party shall, require the child, mother, and (a presumed or) any alleged father who has been made a party to submit to blood tests. If an alleged father objects to a proposed order requiring him to submit to paternity blood tests, the court may require the party making the allegation of possible paternity to provide sworn testimony, by affidavit or otherwise, stating the facts upon which the allegation is based. The court shall order blood tests if it appears that a reasonable possibility exists that the requisite sexual contact occurred. The tests shall be performed by an expert in paternity blood testing appointed by the court. The expert's verified report identifying the blood characteristics observed is admissible in evidence in any hearing or trial in the parentage action, if (a) the alleged or presumed father has had the opportunity to gain information about the security, validity, and interpretation of the tests and the qualifications of any experts, and (b) the report is accompanied by an affidavit from the expert which describes the expert's qualifications as an expert and analyzes and interprets the results. Verified documentation of the chain of custody of the blood samples tested is admissible to establish the chain of custody. The court may consider published sources as aids to interpretation of the test results.

((2)) (3) The court, upon ((reasonable)) request by a party, shall order that additional blood tests be performed by the same or other experts qualified in paternity blood testing, if the party requesting additional tests advances the full costs of the additional testing within a reasonable time. The court may order additional testing without requiring that the requesting party advance the costs only if another party agrees to advance the costs or if the court finds, after hearing, that (a) the requesting party is indigent, and (b) the laboratory performing the initial tests recommends additional testing or there is substantial evidence to support a finding as to paternity contrary to the initial blood test results. The court may later order any other party to reimburse the party who advanced the costs of additional testing for all or a portion of the costs.

((3)) (4) In all cases, the court shall determine the number and qualifications of the experts.

Sec. 33. Section 12, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.110 are each amended to read as follows:

Evidence relating to paternity may include:

(1) Evidence of sexual intercourse between the mother and alleged father at any possible time of conception;

(2) An expert's opinion concerning the statistical probability of the alleged father's paternity based upon the duration of the mother's pregnancy;

(3) An expert's opinion concerning the impossibility or the statistical probability of the alleged father's paternity based upon blood test results(~~weighted in accordance with evidence, if available, of the statistical probability of the alleged father's paternity~~);

(4) Medical or anthropological evidence relating to the alleged father's paternity of the child based on tests performed by experts. If a man has been identified as a possible father of the child, the court may, and upon request of a party shall, require the child, the mother, and the man to submit to appropriate tests; and

(5) All other evidence relevant to the issue of paternity of the child.

Sec. 34. Section 13, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.120 are each amended to read as follows:

(1) An action under this chapter is a civil action governed by the rules of civil procedures. The mother of the child and the alleged father are competent to testify and may be compelled to testify.

(2) Upon refusal of any witness, including a party, to testify under oath or produce evidence of any other kind on the ground that ~~(he)~~ the witness may be incriminated thereby, and if a prosecuting attorney requests the court to order that person to testify or provide the evidence, the court shall then hold a hearing and shall so order, unless it finds that to do so would be clearly contrary to the public interest, and that person shall comply with the order.

If, but for this section, ~~(he)~~ the witness would have been privileged to withhold the answer given or the evidence produced ~~(by him)~~, the witness may not refuse to comply with the order on the basis of ~~(his)~~ the privilege against self-incrimination; but ~~(he)~~ the witness shall not be prosecuted or subjected to criminal penalty or forfeiture for or on account of any

transaction, matter, or fact concerning which ~~((he))~~ the witness has been ordered to testify pursuant to this section. ~~((He))~~ The witness may nevertheless be prosecuted for failing to comply with the order to answer, or for perjury or for offering false evidence to the court.

(3) Testimony of a physician concerning the medical circumstances of the pregnancy and the condition and characteristics of the child upon birth is not privileged.

(4) In an action against an alleged father, evidence offered by ~~((him))~~ the alleged father with respect to a man who ~~((is not subject to the jurisdiction of the court))~~ has not been joined as a party concerning ~~((his))~~ the nonparty's sexual intercourse with the mother at or about the probable time of conception of the child is admissible in evidence only if ~~((he))~~ the nonparty has undergone and made available to the court blood tests, including the human leukocyte antigen (HLA) test or other tests of comparable exclusionary power, the results of which do not exclude the possibility of ~~((his))~~ the nonparty's paternity of the child. ~~((A man who is identified and is subject to the jurisdiction of the court shall be made a defendant in the action.))~~

(5) The trial shall be by the court without a jury.

Sec. 35. Section 15, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.140 are each amended to read as follows:

The court may order reasonable fees of ~~((counsel;))~~ experts(;;) and the child's guardian ad litem, and other costs of the action, including blood test~~((s))~~ costs, to be paid by the parties in proportions and at times determined by the court. The court may order that all or a portion of a party's reasonable attorney's fees be paid by another party, except that an award of attorney's fees assessed against the state or any of its agencies or representatives shall be under RCW 4.84.185.

NEW SECTION. Sec. 36. A joint legislative committee on child support is hereby created. The committee shall be composed of eleven members, five to be appointed by the speaker of the house of representatives and five to be appointed by the president of the senate. Three of the members from each house shall be from the majority party and two from the minority party. The eleventh member shall be a member of the public and shall be appointed by a majority of the legislative committee members. The nonlegislative member of the joint committee shall not receive compensation but shall be reimbursed under RCW 43.03.050 and 43.03.060 for travel expenses incurred while attending official meetings of the committee. The legislative members shall be reimbursed for travel expenses under RCW 44.04.120.

NEW SECTION. Sec. 37. The joint committee on child support shall examine, investigate, and study the operation of the state's child support system. The primary purpose of the study shall be to determine the system's success in securing support and parental involvement both for children who are eligible for aid under Part A of Title IV of the Social Security Act and children who are not eligible for the aid. The joint committee shall give particular attention to the recommendations which were made at the October, 1983 legislative conference on child support and paternity.

NEW SECTION. Sec. 38. The joint committee shall submit to the social and health services committees of the house of representatives and the senate and make available to the public, no later than October 1, 1985, a report of its findings and recommendations.

NEW SECTION. Sec. 39. Sections 36 through 38 of this act shall expire on December 31, 1986.

Sec. 40. Section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 4, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.030 are each amended to read as follows:

The department shall be subrogated to the right of any dependent child or children or person having the care, custody, and control of said child or children, if public assistance money is paid to or for the benefit of the child, to prosecute or maintain any support action or execute any administrative remedy existing under the laws of the state of Washington to obtain reimbursement of moneys expended, based on the support obligation of the responsible parent established by a superior court order or RCW 26.16.205.

No collection shall be made from a parent or other person who is the recipient of public assistance moneys while such person or persons are in such status except as provided in RCW 74.20A.270.

No collection action shall be taken against parents of children eligible for admission to, or children who have been released from, a state school for the developmentally disabled as defined by chapter 72.33 RCW.

Sec. 41. Section 18, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.270 are each amended to read as follows:

The secretary may issue a notice of support debt to any person, firm, corporation, association or political subdivision of the state of Washington or any officer or agent thereof who is in possession of support moneys, or who has had support moneys in his or her possession at some time in the past, which support moneys were or are claimed by the department as the property of the department by assignment, subrogation, or by operation of law or legal process under chapter 74.20A RCW, if the support moneys have not been remitted to the department as required by law.

The notice shall describe the claim of the department, stating the legal basis for the claim and shall provide sufficient detail to enable the person, firm, corporation, association or political subdivision or officer or agent thereof upon whom service is made to identify the support

moneys in issue. The notice may also make inquiry as to relevant facts necessary to the resolution of the issue.

The notice may be served by certified mail, return receipt requested, or in the manner of a summons in a civil action. Upon service of the notice all moneys not yet disbursed or spent or like moneys to be received in the future are deemed to be impounded and shall be held in trust pending answer to the notice and any hearing which is requested.

The notice shall be answered under oath and in writing within twenty days of the date of service, which answer shall include true answers to the matters inquired of in the notice. The notice shall also either acknowledge the department's right to the moneys or request an administrative hearing to determine the rights to ownership of the support moneys in issue. The hearing shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department and shall be a contested case as provided for in chapter 34.04 RCW. The burden of proof to establish ownership of the support moneys claimed, including but not limited to moneys not yet disbursed or spent, is on the department.

If no answer is made within the twenty days, the department's claim shall be assessed and determined and subject to collection action as a support debt pursuant to chapter 74.20A RCW. Any such debtor may, at any time within one year from the date of service of the notice of support debt, petition the secretary or the secretary's designee for a hearing upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60. A copy of the petition shall also be served on the department. The filing of the petition shall not stay any collection action being taken, but the debtor may petition the secretary or the secretary's designee for an order staying collection action pending final decision of the secretary or the secretary's designee or the courts on any appeal made pursuant to chapter 34.04 RCW. Any moneys held and/or taken by collection action prior to the date of any such stay and any support moneys claimed by the department, including moneys to be received in the future to which the department may have a claim, shall be held in trust pending final decision and appeal, if any, to be disbursed in accordance with the final decision. The secretary or the secretary's designee shall condition the stay to provide for the trust.

If the hearing is granted it shall be an administrative hearing limited to the determination of the ownership of the moneys claimed in the notice of debt. The right to the hearing is conditioned upon holding of any funds not yet disbursed or expended or to be received in the future in trust pending the final order in these proceedings or during any appeal made to the courts. The secretary or the secretary's designee shall enter an appropriate order providing for the terms of the trust.

The hearing shall be a contested case as provided for in chapter 34.04 RCW and shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department. The hearing shall be promptly scheduled within thirty days from the date of receipt of the answer by the department. The hearing shall be conducted by a duly qualified hearing examiner appointed for that purpose. Hearings may be held in the county of residence of the debtor or other place convenient to the debtor.

If the debtor fails to appear at the hearing, the hearing examiner shall, upon showing of valid service, enter an initial decision and order declaring the amount of support moneys, as claimed in the notice, to be assessed and determined and subject to collection action. Within thirty days of entry of the decision and order the debtor may petition the secretary or the secretary's designee to vacate the decision and order upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

The hearing and review process shall be as provided for in RCW 74.20A.055.

If, at any time, the superior court enters judgment for an amount of debt at variance with the amount determined by the final order in these proceedings, the judgment shall supersede the final order in these proceedings. Any debt determined by the superior court in excess of the amount determined by the final order in these proceedings shall be the property of the department as assigned under 42 U.S.C. 602(A)(26)(a), RCW 74.20.040, 74.20A.250, 74.20.320, or 74.20.330. The department may, despite any final order in these proceedings, take action pursuant to chapters 74.20 or 74.20A RCW to obtain such a judgment or to collect moneys determined by such a judgment to be due and owing.

If public assistance moneys have been paid to a parent for the benefit of that parent's minor dependent children, debt under this chapter shall not be incurred by nor at any time be collected from that parent because of that payment of assistance. Nothing in this section prohibits or limits the department from acting pursuant to RCW 74.20.320 and this section to assess a debt against a recipient or ex-recipient for receipt of support moneys paid in satisfaction of the debt assigned under RCW 74.20.330 which have been assigned to the department but were received by a recipient or ex-recipient from another responsible parent and not remitted to the department. To collect these wrongfully retained funds from the recipient, the department may not take collection action ((during such period of time as)) in excess of ten percent of the grant payment standard during any month the public assistance recipient remains in that status unless required by federal law. Payments not credited against the department's debt pursuant to RCW 74.20.101 may not be assessed or collected under this section.

NEW SECTION. Sec. 42. Sections 1 through 15, 24, and 25 of this act shall constitute a new chapter in Title 26 RCW.

NEW SECTION. Sec. 43. 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. 44. Section 2, chapter 28, Laws of 1913, section 1, chapter 297, Laws of 1927, section 35, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.050 are each repealed."

On page 1, line 1 of the title, after "obligations;" strike the remainder of the title and insert "amending section 1, chapter 10, Laws of 1982 and RCW 6.12.100; amending section 11.52.010, chapter 145, Laws of 1965 as last amended by section 7, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.010; amending section 11.52.012, chapter 145, Laws of 1965 as last amended by section 9, chapter 234, Laws of 1977 ex. sess. and RCW 11.52.012; amending section 11.52.020, chapter 145, Laws of 1965 as last amended by section 9, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.020; amending section 11.52.022, chapter 145, Laws of 1965 as last amended by section 10, chapter 234, Laws of 1977 ex. sess. and RCW 11.52.022; amending section 1, chapter 28, Laws of 1913 as last amended by section 34, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.030; amending section 3, chapter 28, Laws of 1913 as amended by section 36, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.080; amending section 5, chapter 322, Laws of 1959 as last amended by section 20, chapter 201, Laws of 1982 and RCW 74.20.040; amending section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 6, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.26.090; amending section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.26.100; amending section 12, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.110; amending section 13, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.120; amending section 15, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.140; amending section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 4, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.030; amending section 18, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.270; adding a new section to chapter 6.12 RCW; adding a new chapter to Title 26 RCW; adding a new section to chapter 26.09 RCW; adding a new section to chapter 26.20 RCW; adding a new section to chapter 26.21 RCW; adding a new section to chapter 26.26 RCW; creating new sections; repealing section 2, chapter 28, Laws of 1913, section 1, chapter 297, Laws of 1927, section 35, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.050; and prescribing penalties." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendments to Substitute House Bill No. 1627.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1627 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1627 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzroff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1627 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.

APPOINTMENT OF CONFEREES

The Speaker announced the following Conference Committee appointments:

SHB 1163: Representatives Lux, Zellinsky and Schmidt;

EHS 1386: Representatives R. King, McMullen and Betzroff;

E2SSB 3193: Representatives Rust, Dellwo and Patrick;

ESSB 3429: Representatives Armstrong, P. King and Padden;
ESSB 4403: Representatives Kreidler, McClure and Lewis;
SSB 4788: Representatives Rust, Fisher and Allen.

MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Friday, March 2, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-FOURTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Friday, March 2, 1984

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Girl Scouts Monica Schwilke from Mid Columbia Girl Scout Council and Sandy Richard, Totem Girl Scout Council. Prayer was offered by The Reverend Robert Braddock, Minister of Grace Bible Church of Puyallup.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-156, by Representatives Allen, Brough, Fisher, Miller, Rust, Schmidt, Scott, L. Smith, Sommers, Stratton, Sanders, Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Sayan, Schoon, Silver, C. Smith, Smitherman, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Vekich, Waik, Wang, West, B. Williams, J. Williams, Wilson and Zeliinsky

WHEREAS, The Girl Scouts of the United States of America will observe the 72nd anniversary of its founding on Monday, March 12, 1984; and

WHEREAS, Since 1912 the Girl Scout movement has opened new worlds of thought and action to more than 46 million members; and

WHEREAS, The organization reaffirms its commitment to work for world understanding and friendship among all the peoples of the world; and

WHEREAS, Girl Scouting prepares today's girls to be tomorrow's women; and

WHEREAS, Girl Scout Week will be celebrated by the Girl Scouts of our state from March 11 through 17, 1984; and

WHEREAS, Ten members of this body, Representatives Katie Allen, Jean Marie Brough, Ruth Fisher, Louise Miller, Nancy Rust, Karen Schmidt, Pat Scott, Linda Smith, Helen Sommers, and Lois Stratton have participated in Girl Scouting;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize the valuable service the Girl Scouts of the United States of America perform for the youth of our state and our country; and

BE IT FURTHER RESOLVED, That the House of Representatives applaud all of our State Girl Scout Councils for a job well done; and

BE IT FURTHER RESOLVED, That the members of the body do all they can in their home districts to promote the programs and ideals of the Girl Scouts of the United States of America; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the National Office of the Girl Scouts of the United States of America in New York, New York, the Regional Offices of the Girl Scouts, and to the five Girl Scout Councils servicing Washington State.

Ms. Allen moved adoption of the resolution. Representatives Allen, Rust, Galloway, Brough, Stratton, Hine and Schmidt spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker recognized Girl Scouts who were visiting the House and Girl Scout Linda Cooper briefly addressed the House.

HOUSE FLOOR RESOLUTION NO. 84-144, by Representatives Todd and Crane

WHEREAS, The Auburn High School cheerleading squad won the National Cheerleading Competition in Anaheim, California on February 19, 1984; and

WHEREAS, The Auburn Trojan cheerleaders won the competition over nine other squads from across the nation; and

WHEREAS, The spirit and determination of the Auburn squad was demonstrated not only in the competition, but also by its efforts in raising the funds necessary to send the fifteen member team and its coach, Ben Keylin, to the competition; and

WHEREAS, Coach Ben Keylin has given freely of his time and talent in directing the Auburn cheerleading squad for the past five years;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations for a superb performance be conveyed to the Auburn High School Trojan cheerleading squad, and to Coach Ben Keylin, by adoption of this resolution; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Coach Ben Keylin, and to each of the following members of the squad: Dean Godfrey, Holly Thorpe, Jorge Jazan, Bruce Jackman, Laurie Stehr, Dianne Kidd, Dave Zahnnow, Robin Hall, Sandra Higgins, Dan Viens, Kelly Brady, Crystal Smith, Shannon Hader, Kristin Thompson, and Kenneth McMullen.

Mr. Todd moved adoption of the resolution. Representatives Todd and Crane spoke in favor of the resolution and it was adopted.

MESSAGES FROM THE SENATE

March 1, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1509,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 1, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to the following Senate Bills, and has passed the bills as amended by the House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3616,

SUBSTITUTE SENATE BILL NO. 3740,

SUBSTITUTE SENATE BILL NO. 3758,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3849,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3901,

SUBSTITUTE SENATE BILL NO. 3984,

SUBSTITUTE SENATE BILL NO. 4050,

SENATE BILL NO. 4301,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4302,

SUBSTITUTE SENATE BILL NO. 4321,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4325,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4329,

SUBSTITUTE SENATE BILL NO. 4332,

ENGROSSED SENATE BILL NO. 4415,

SUBSTITUTE SENATE BILL NO. 4814,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4829.

Sidney R. Snyder, Secretary.

March 1, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3616,

SENATE BILL NO. 4415,

SUBSTITUTE SENATE BILL NO. 4814,
SUBSTITUTE SENATE BILL NO. 4829,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1649 with the following amendment:
Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 6, chapter 229, Laws of 1982 and RCW 42.36.060 are each amended to read as follows:

During the pendency of any quasi-judicial proceeding, no member of a decision-making body may engage in ex parte communications with opponents or proponents with respect to the proposal which is the subject of the proceeding unless that person:

(1) Places on the record the substance of any written or oral ex parte communications concerning the decision of action; and

(2) Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is considered or taken on the subject to which the communication related. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are a part of the record. Nor does such prohibition preclude correspondence between a citizen and his or her elected official if any such correspondence is made a part of the record when it pertains to the subject matter of a quasi-judicial proceeding."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Niemi, the House concurred in the Senate amendment to House Bill No. 1649.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 1649 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1649 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Kaiser, Nelson D - 2.

House Bill No. 1649 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 SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3616,

SENATE BILL NO. 4415,

SUBSTITUTE SENATE BILL NO. 4814,

SUBSTITUTE SENATE BILL NO. 4829.

SENATE AMENDMENTS TO HOUSE JOINT MEMORIAL

February 26, 1984

Mr. Speaker:

The Senate has passed HOUSE JOINT MEMORIAL NO. 37 with the following amendments:

On page 1, line 9 after "Salvadoran" strike "and Guatemalan" and insert ", Guatemalan, Afghan Angolan, and Cuban"

On page 1, line 16 after "El Salvador" strike "and Guatemala, including the threat of death, to those" and insert ", Guatemala, Afghanistan, Angola, and Cuba, including the threat of death to Salvadoran and Guatemalan refugees who are"

On page 1, line 23 after "WHEREAS," strike "Western, Pan American, and Mexicana Airlines" and insert "Some airlines"

On page 1, line 27 after "of" strike "civil war" and insert "violent conflict" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Niemi, the House concurred in the Senate amendments to House Joint Memorial No. 37.

FINAL PASSAGE OF HOUSE JOINT MEMORIAL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Joint Memorial No. 37 as amended by the Senate.

Representatives B. Williams, Bond and Hankins spoke against passage of the memorial, and Representatives D. Nelson and Charnley spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 37 as amended by the Senate, and the memorial passed the House by the following vote: Yeas, 60; nays, 38; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 60.

Voting nay: Representatives Ballard, Barrett, Betzoff, Bond, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 38.

House Joint Memorial No. 37 as amended by the Senate, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

MESSAGES FROM THE SENATE

March 2, 1984

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 448,
 SUBSTITUTE HOUSE BILL NO. 626,
 SUBSTITUTE HOUSE BILL NO. 1105,
 SUBSTITUTE HOUSE BILL NO. 1125,
 SECOND SUBSTITUTE HOUSE BILL NO. 1137,
 HOUSE BILL NO. 1142,
 SUBSTITUTE HOUSE BILL NO. 1311,

SUBSTITUTE HOUSE BILL NO. 1637,
SUBSTITUTE HOUSE BILL NO. 1655,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a Conference on ENGROSSED HOUSE BILL NO. 392, and has appointed as Senate conferees: Senators Thompson, Granlund, Zimmerman.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on HOUSE BILL NO. 939, and the President has appointed as Senate conferees: Senators Thompson, Bauer, Barr.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 1133, and the President has appointed as Senate conferees: Senators Talmadge, Hughes, Newhouse.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED HOUSE BILL NO. 1218, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL No. 1613, and the President has appointed as Senate conferees: Senators Gaspard, Goltz, Kiskaddon.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills and has passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 4541,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4794.

Bill Gleason, Assistant Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 4788, and the President has appointed as Senate conferees: Senators Hughes, Woody, Haley, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3740,
SUBSTITUTE SENATE BILL NO. 3758,
SUBSTITUTE SENATE BILL NO. 3849,
SUBSTITUTE SENATE BILL NO. 3901,
SUBSTITUTE SENATE BILL NO. 3984,
SUBSTITUTE SENATE BILL NO. 4050,
SENATE BILL NO. 4301,
SUBSTITUTE SENATE BILL NO. 4302.

SUBSTITUTE SENATE BILL NO. 4321,
 SUBSTITUTE SENATE BILL NO. 4325,
 SUBSTITUTE SENATE BILL NO. 4329,
 SUBSTITUTE SENATE BILL NO. 4332,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-157, by Representative P. King

WHEREAS, Marianne McCusker has exhibited exceptional capabilities in her academic endeavors by completing her high school education, and by entering the University of Washington last fall at the age of thirteen; and

WHEREAS, in addition to her academic achievements, Marianne McCusker has exhibited a willingness and eagerness to engage in all aspects of school activities by earning a letter in tennis, becoming a cheerleader, being an editor of the school paper, acting in school plays and serving as president of a school service club; and

WHEREAS, The great success enjoyed by Marianne McCusker can only be found in the most supportive of home environments;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington wishes to honor Marianne McCusker by designating her an Honorary Page for Thursday, March 1, 1984; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington extends its best wishes to Marianne McCusker in her academic endeavors, and in whatever field or occupation she chooses in the future; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Marianne McCusker, and her parents.

On motion of Mr. P. King, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-147, by Representatives Addison and Sanders

WHEREAS, The Order of DeMolay is a character-building and inspirational organization of young men, thirteen to twenty-one years of age, who are preparing themselves to become better citizens and leaders for tomorrow; and

WHEREAS, DeMolay teaches dedication to God, country and parents and teaches spiritual values, service to others, leadership, cooperative work and play; and

WHEREAS, The organization has aspired toward these goals for sixty-five years through programs of athletic competition, social events, experience together, fund-raising and community service projects; and

WHEREAS, The Order of DeMolay is the largest fraternal youth organization in the world; and

WHEREAS, Since 1984 is the sixty-fifth anniversary of the Order, the Washington State chapter members and senior DeMolays pledge to continue the DeMolay tradition;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That all citizens of the State of Washington join in saluting the young men of the Order of DeMolay, and join in expressing grateful appreciation for the fine examples set by them.

Mr. Addison moved adoption of the resolution. Representatives Addison and Garrett spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-143, by Representatives Struthers and Hastings

WHEREAS, The Walla Walla High School Blue Devils' wrestling team won the State AAA High School Wrestling Championship on Saturday, February 18 in Ellensburg; and

WHEREAS, Coach Al Sievertsen led the team to its first state title in his eleventh year on the job; and

WHEREAS, The Blue Devils accomplished this feat with only six wrestlers, two of whom had the flu; and

WHEREAS, Wrestling is the only sport in which size is not important, but in which toughness, discipline, and desire remain crucial; and

WHEREAS, Josh Baldi, at 158 pounds, and Chuck Ahsmuhs, at 108 pounds, won individual state championships for Wa-High; and

WHEREAS, These two individual titles match the previous total of state championships won in the school's history; and

WHEREAS, Wa-High beat Moses Lake for the team title after Moses Lake had won the Big Nine Conference dual meet championship and the district and regional championships;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize the Walla Walla High School Blue Devils for their spectacular achievement; and

BE IT FURTHER RESOLVED, That the House of Representatives applaud the accomplishments of the entire team, coaches, parents, and the community for helping the school win the crown; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Walla Walla High School, to Head Coach Al Sievertsen, and to the members of the team.

Mr. Struthers moved adoption of the resolution. Representatives Struthers and Hastings spoke in favor of the resolution, and it was adopted.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 255 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 43, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.49.020 are each amended to read as follows:

The following are exempt from the tax imposed under this chapter:

- (1) Vessels exempt from the registration requirements of chapter 88.02 RCW;
- (2) Vessels used exclusively for commercial fishing purposes;
- (3) Vessels under sixteen feet in overall length;

(4) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;

~~((4))~~ (5) Vessels owned by a nonprofit organization or association engaged in character building of boys and girls under eighteen years of age and solely used for such purposes, as determined by the department for the purposes of RCW 84.36.030; and

~~((5))~~ (6) Vessels owned and held for sale by a dealer, but not rented on a regular commercial basis.

Sec. 2. Section 16, chapter 7, Laws of 1983 as amended by section 44, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.030 are each amended to read as follows:

Vessel registration is required under this chapter except for the following:

- (1) Military or public vessels of the United States, except recreational-type public vessels;

(2) Vessels owned by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;

(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 lifeboat;

(6) Vessels equipped with propulsion machinery of less than ten horse power that:

- (a) Are owned by the owner of a vessel for which a valid vessel number has been issued;

(b) Display the number of that numbered vessel followed by the suffix '1' in the manner prescribed by the department; and

- (c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;

~~((7))~~ (7) Vessels under sixteen feet in overall length ((or whose primary propulsion is human power)) which have no propulsion machinery of any type or which are not used on

waters subject to the jurisdiction of the United States or on the high seas beyond the territorial seas for vessels owned in the United States;

(8) Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;

(9) Vessels which are temporarily in this state undergoing repair or alteration;

(10) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States; and

(11) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States.

NEW SECTION. Sec. 3. (1) A vessel numbered in this state under the federal boat safety act need not register under chapter 88.02 RCW until the earlier of: (a) One year from the date this state's vessel numbering system is approved under the federal boat safety act; or (b) the expiration date of the certificate of number issued for the vessel under the federal boat safety act. At the time of registration under chapter 88.02 RCW, the amount of excise tax due under chapter 82.49 RCW shall include amounts which would have been due under that chapter if the vessel had been registered at the time otherwise required under chapter 88.02 RCW.

(2) As used in this section, 'federal boat safety act' means the federal boat safety act of 1971 (85 Stat. 213; 46 U.S.C. 1451 et seq.).

Sec. 4. Section 49, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.49.070 are each amended to read as follows:

(1) Any county may impose a tax, by ordinance or resolution, upon the privilege of using a vessel taxable under RCW 82.49.010 which is moored or stored in the county, if the population of the unincorporated area of the county together with the population of the cities which are parties to an interlocal agreement under chapter 39.34 RCW equal or exceed two-thirds of the total population of the county: PROVIDED, That such agreement shall take into consideration any marine patrols provided as of June 30, 1983, and may provide compensation for those municipal corporations in the county which are parties to the agreement and which provide boating safety services, including fire suppression and rescue services only as related to boating safety. The annual amount of the tax shall be up to fifty cents per foot of the vessel per calendar year, or part thereof.

(2) The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.02.050. A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year.

(4) The moneys collected under this section shall be distributed by the county monthly to the parties to the interlocal agreement, and other municipal corporations entitled to compensation, according to the terms of the agreement. Moneys collected under this section shall be used only for administration and enforcement of boating safety, search and rescue operations concerning boating, and boating patrols.

NEW SECTION. Sec. 5. There is added to chapter 84.08 RCW a new section to read as follows:

Every individual, corporation, association, partnership, trust, and estate shall list with the department of revenue all ships and vessels which are subject to their ownership, possession, or control and which are subject to ad valorem taxation under RCW 84.36.080, and such listing shall be subject to the same requirements, penalties, and liens provided in chapters 84.40 and 84.60 RCW for all other personal property in the same manner as provided therein.

The department shall assess all ships and vessels and shall certify to the respective county assessors the equalized values thereof, subject to the same rules as other state-assessed properties in accordance with RCW 84.12.370 and 84.16.130 and chapter 84.48 RCW.

Any ship or vessel owner disputing the assessment under this section shall have the same rights of review as any other vessel owner subject to the excise tax contained in chapter 82.49 RCW in accordance with RCW 82.49.060.

NEW SECTION. Sec. 6. Section 53, chapter 3, Laws of 1983 2nd ex. sess. (uncodified) is repealed.

Sec. 7. Section 84.56.260, chapter 15, Laws of 1961 and RCW 84.56.260 are each amended to read as follows:

The power and duty to levy on property and collect any tax due and unpaid shall continue in and devolve upon the county treasurer and his successors in office after his return to the county auditor, and until the tax is paid; and the warrant attached to the assessment roll shall continue in force and confer authority upon the treasurer to whom the same was issued, and upon his successors in office, to collect any tax due and uncollected thereon. This section shall apply to all assessment rolls and the warrants thereto attached: PROVIDED, That taxes imposed but not collected on boats for the years 1980 through 1982 may not be collected.

NEW SECTION. Sec. 8. 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 "watercraft," strike the remainder of the title and insert "amending section 43, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.49.020; amending section 16, chapter 7, Laws of 1983 as amended by section 44, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.030; amending section 84.56.260, chapter 15, Laws of 1961 and RCW 84.56.260; adding a new section to chapter 84.08 RCW; creating a new section; repealing section 53, chapter 3, Laws of 1983 2nd ex. sess. (uncodified); and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Sommers moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 255, and ask the Senate for a conference thereon.

Ms. Sommers spoke in favor of the motion, and Mr. J. Williams spoke against it.

The Speaker resumed the Chair.

ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 255, and the motion was lost by the following vote: Yeas, 45; nays, 53; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Fruitt, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 45.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 53.

The Speaker announced that the House had, by its vote, concurred in the Senate amendments to Engrossed Substitute House Bill No. 255.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 255 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 255 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 19; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Fruitt, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Betzoff, Bond, Charnley, Fisher, Fuhrman, Garrett, Grimm, Hastings, Jacobsen, Lewis, Monohon, Moon, Padden, Rust, Sanders, Taylor, Vander Stoep, West, Williams J - 19.

Engrossed Substitute House Bill No. 255 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.

STATEMENT FOR THE JOURNAL

It was my intention to oppose Engrossed Substitute House Bill No. 255 as amended by the Senate on final passage.

STEVE VAN LUVEN, 48th District.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3740,
 SUBSTITUTE SENATE BILL NO. 3758,
 SUBSTITUTE SENATE BILL NO. 3849,
 SUBSTITUTE SENATE BILL NO. 3901,
 SUBSTITUTE SENATE BILL NO. 3984,
 SUBSTITUTE SENATE BILL NO. 4050,
 SENATE BILL NO. 4301,
 SUBSTITUTE SENATE BILL NO. 4302,
 SUBSTITUTE SENATE BILL NO. 4321,
 SUBSTITUTE SENATE BILL NO. 4325,
 SUBSTITUTE SENATE BILL NO. 4329,
 SUBSTITUTE SENATE BILL NO. 4332.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 552 with the following amendments:

On page 1, line 6 after "patrol" strike "shall" and insert "may"

On page 1, line 12 after "accept" strike "an honorarium" and insert "any meal served in connection with the program and reimbursement for actual expenses for travel and materials used in conjunction with the program."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Ms. Niemi, the House refused to concur in the Senate amendment to page 1, line 6 of Substitute House Bill No. 552, and asked the Senate to recede therefrom.

On motion of Ms. Niemi, the House concurred in the Senate amendment to page 1, line 12.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1138 with the following amendments:

On page 3, following section 4 add a new section to read as follows:

"NEW SECTION, Sec. 5. There is added to chapter 90.54 RCW a new section to read as follows:

The legislature hereby declares that the protection of groundwater aquifers which are the sole drinking water source for a given jurisdiction shall be of the uppermost priority of the state department of ecology, department of social and health services, and all local government agencies with jurisdictions over such areas. In administration of programs related to the disposal of wastes and other practices which may impact such water quality, the department of ecology, department of social and health services, and such affected local agencies shall explore all possible measures for the protection of the aquifer, including any appropriate incentives, penalties, or other measures designed to bring about practices which provide for the least impact on the quality of groundwater."

On line 2 of the title after "adding" strike "a new section" and insert "new sections" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rust, the House concurred in the Senate amendments to House Bill No. 1138.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 1138 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1138 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1138 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1246 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 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:

Each school district board of directors is encouraged to revise its goal-setting process and to begin immediately to establish an annual process of identifying measurable goals which concentrate on improving educational excellence in the district. This process of identifying goals should involve teachers, administrators, school directors, students, parents, business persons, and other community members. The annual goals and recognition of accomplishments should be reported by the school district to the community each year.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW a new section to read as follows:

All public high schools in the state shall provide a curriculum designed to provide an opportunity for the acquisition of competency skills including effective written and oral communication skills; thinking and reasoning skills; student appreciation of or participation in the arts; knowledge of American civilization and government; substantive exposure to at least one language other than English; computation skills and the ability to use computers; understanding of geography, economics, and history; job acquisition and retention skills; appreciation of what constitutes desirable mental and physical health and human growth and developments; and ability to assume future roles as parents, consumers, home managers, and citizens.

School district boards of directors shall identify courses with content that assist in the acquisition of these competency skills. Such courses may be applied or theoretical, academic or vocational.

Sec. 3. Section 1, chapter 90, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.090 are each amended to read as follows:

Every school district board of directors, being accountable to the citizens within its district as to the education offered to the students therein, ~~((on or before September 1, 1977, for grades kindergarten through eight, and on or before September 1, 1978, for grades nine through twelve, by rule and regulation;))~~ shall, based on the timeline established by the superintendent of public instruction, develop a program identifying student learning objectives for their district ~~((in the areas of language arts, reading, and math, and initiate implementation of such program on or before September 1, 1978, for grades kindergarten through eight, and on or before September 1, 1981, for grades nine through twelve; PROVIDED: That such student learning objectives for grades kindergarten through eight shall be reviewed by the superintendent of public instruction and a report of such review shall be submitted to the legislature on or before January 31, 1978; PROVIDED FURTHER, That))~~ in all courses of study included in the school district programs. The school district must evidence community participation in defining the objectives of such a program. ~~((Such))~~ The program of student learning objectives shall assure that the district's resources in ~~((such))~~ the educational program, such as money, facilities, time, materials and personnel, ~~((shall be utilized))~~ are used so as to provide both economies in management and operation, and quality education in ~~((the aforesaid))~~ all subject areas and courses ~~((PROVIDED FURTHER, That such))~~. The learning objectives shall be measurable as to the actual student attainment; student attainment shall be locally assessed annually and the student learning objectives program shall be reviewed at least every two years. In developing

and reviewing the learning objectives, districts shall give specific attention to improving the depth of course content within courses and in coordinating the sequence in which subject matter is presented.

The superintendent of public instruction shall review implementation of the learning objectives law biennially and shall submit a report of such review to the legislature on or before January 1 of each odd-numbered year.

The state board of education shall examine the programs in each school district in the state for reasons of program approval as required in accordance with RCW 28A.41.130, as now or hereafter amended.

School districts may obtain assistance in carrying out their duties under this section from the educational service district of which they are a part.

NEW SECTION. Sec. 4. Section 2, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.092 are each repealed.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The office of the superintendent of public instruction, in consultation with the state board of education, shall prepare model curriculum programs and/or curriculum guidelines in three subject areas each year. These model curriculum programs or curriculum guidelines shall span all grade levels and shall include statements of expected learning outcomes, content, integration with other subject areas, recommended instructional strategies, and suggested resources.

Certificated employees with expertise in the subject area under consideration shall be chosen by the superintendent of public instruction from each educational service district, from a list of persons suggested by their peers, to work with the staff of the superintendent of public instruction to prepare each model curriculum program or curriculum guidelines. Each participant shall be paid his or her regular salary by his or her district, and travel and per diem expenses by the superintendent of public instruction. The superintendent of public instruction shall make selections of additional experts in the subject area under consideration as are needed to provide technical assistance and to review and comment upon the model curriculum programs and/or curriculum guidelines before publication and shall be paid travel and per diem expenses by the superintendent of public instruction as necessary. The model curriculum programs and curriculum guidelines shall be made available to all districts. Participants developing model curriculum programs and/or curriculum guidelines may be used by school districts to provide training or technical assistance or both. After completion of the original development of model curriculum programs or curriculum guidelines, the office of the superintendent of public instruction shall schedule, at least every five years, a regular review and updating of programs and guidelines in each subject matter area. Any travel and per diem expenses provided to employees involved in the development of model programs or guidelines shall not be considered salary or compensation for purposes of the limitations established in RCW 28A.58.095.

NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW a new section to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students who commence the ninth grade subsequent to July 1, 1985, that meet or exceed the following:

- (a) English for three years;
- (b) Mathematics for two years;
- (c) Science for two years, including at least two credits of laboratory science;
- (d) Social science for three years which shall include courses in United States history and government and Washington state history and government as required under RCW 28A.05.050;
- (e) Occupational education and consumer and life skills in any manner which when combined total one year;
- (f) An additional two years chosen from the above areas or art, music, or foreign language or any combination thereof;
- (g) Health and physical education for two years: PROVIDED, That individual students may be excused on account of physical disability, employment, or religious belief, or because of participation in directed athletics or military science and tactics: PROVIDED FURTHER, That individual high school students shall be excused therefrom upon the written request of parents or guardians.

(2) The state board of education shall develop and establish procedures for students to meet equivalencies for courses required for graduation in lieu of (1) of this section. Such procedures may include provisions for competency testing in lieu of such courses.

(3) The state board of education shall establish procedures for establishing high school graduation requirements for students with special educational needs, in accord with limitations on their ability to fulfill these high school graduation requirements.

(4) The local school districts shall consider the relevance of vocational and applied courses in fulfilling these high school graduation requirements.

(5) The state board of education, upon request from local school districts, shall be authorized to grant temporary exemptions from the graduation requirements in subsection (1) of this section for reasons relating to school district size and availability of staff authorized to teach required subjects. The state board of education may adopt reasonable and necessary rules regarding exemptions for students who transfer between districts.

(6) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall continuously re-evaluate the graduation requirements and shall report such findings to the legislature and the temporary committee on educational policies, structure and management in a timely manner as determined by the state board.

Sec. 7. Section 1, chapter 98, Laws of 1975-'76 2nd ex. sess. and RCW 28A.03.360 are each amended to read as follows:

(1) ~~(It shall be the intent and purpose of this section to direct the office of superintendent of public instruction to conduct standardized reading, mathematics, and language arts achievement level surveys of approximately two thousand students distributed throughout the state in each of the grade levels eight and eleven during such testing cycles as provided for in subsection (2) of this section. The survey testing shall be based on a statistical random sample of students from these grade levels sufficient to generalize about all of the students at each of the selected grade levels from the state's school districts. The purpose of these surveys is to allow the public and the legislature to evaluate how Washington students in these grades compare to students in the same grades tested in other comparable national achievement surveys. The office of superintendent of public instruction shall coordinate such tests and provide such information as obtained therefrom to the legislature no less often than once every four years.~~

(2) ~~The superintendent of public instruction shall prepare a report to the legislature on the achievement levels of students in grades eight and eleven based on the achievement level surveys conducted in the 1975-77 biennium and for each of the subsequent testing cycles as designated by the superintendent of public instruction's office. Such report shall include a comparison of the achievement levels attained by Washington students to the levels attained by students outside of the state, with special emphasis placed on the basic skills of reading, mathematics, and language arts. Such report shall also focus on appropriate input variables and comparisons of variables reported by other states' testing programs.~~

(3) ~~Results of the first survey test shall be made available to the school districts and the legislature no later than June 30, 1977.~~

(4) ~~in addition to the survey testing for grades eight and eleven as set forth in this section;)) Every school district is encouraged to test pupils in grade two by an assessment device designed or selected by the local school districts. This test shall be used to help teachers in identifying those pupils in need of assistance in the skills of reading, writing, mathematics, and language arts. The test results are not to be compiled by the superintendent of public instruction, but are only to be used by the local school district.~~

~~((5)) (2) The superintendent of public instruction shall prepare (with the assistance of local school districts;)) and conduct, with the assistance of local school districts, a standardized achievement test to be given annually to all pupils in grade four. The test shall assess students' skill in reading, mathematics, and language arts and shall focus upon appropriate input variables. Results of such tests shall be compiled by the superintendent of public instruction, who shall make those results available annually to the legislature, to all local school districts and subsequently to parents of those children tested. The results shall allow parents to ascertain the achievement levels and input variables of their children as compared with the other students within the district, the state and, if applicable, the nation.~~

(3) The superintendent of public instruction shall prepare and conduct, with the assistance of local school districts, an assessment to be administered annually to all grade eight students. The purposes of the assessment are to assist students, parents, and teachers in the planning and selection of appropriate high school programs and courses for the students and to provide comparisons within the district, the state and, if applicable, the nation. The assessment shall include but not be limited to tests in reading, mathematics, and language arts and a student interest inventory. The superintendent of public instruction shall make the results available to all local school districts which shall in turn make them available to students, parents, and teachers in a timely fashion.

(4) The superintendent of public instruction shall prepare and conduct, with the assistance of local school districts, an assessment to be administered annually to all grade ten students. The purposes of the assessment are to assist students in meeting district graduation requirements and in making decisions regarding potential career options. The results of the assessment shall be used to provide comparisons within the district, the state and, if applicable, the nation. The superintendent of public instruction shall make the results available to all local school districts which shall in turn make them available to students, parents, and teachers in a timely fashion.

NEW SECTION. Sec. 8. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

School districts are encouraged to prepare and administer a program of assessment tests to be periodically administered to students as they progress from the eighth through eleventh grades for the purpose of identifying and remedying deficiencies.

NEW SECTION. Sec. 9. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

(1) The superintendent of public instruction shall prepare, in consultation with and with the assistance of school districts, a model test to assess students' ability to perform various functions common to everyday life. This model test shall be called the "Washington life skills test" and shall be made available to school districts for use at the district's option. The test shall include questions designed to determine students' academic growth and proficiency in skills generally thought to be useful in adult life, including but not limited to English, vocabulary, communications, and mathematical skills as such skills relate to career, consumer, economic, health, and other issues important to individuals becoming productive citizens. The superintendent of public instruction shall develop and implement a process to review periodically the contents of the test and make changes as may be appropriate or necessary.

(2) School districts may establish their own policies and procedures governing the use of the test. Districts may use the test as a requirement for graduation in conjunction with other state and local graduation requirements, for counseling-related purposes, or for other purposes as districts may determine.

NEW SECTION. Sec. 10. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Pursuant to rules and regulations adopted by the superintendent of public instruction for the administration of this chapter, the superintendent of public instruction shall carry out a program for highly capable students. Such program may include conducting, coordinating and aiding in research (including pilot programs), disseminating information to local school districts, providing statewide staff development, and allocating to school districts supplementary funds for additional costs of district programs, as provided by section 12 of this act.

NEW SECTION. Sec. 11. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Local school districts may establish and operate, either separately or jointly, programs for highly capable students. Such authority shall include the right to employ and pay special instructors and to operate such programs jointly with a public institution of higher education. Local school districts which establish and operate programs for highly capable students shall adopt identification procedures and provide educational opportunities as follows:

(1) In accordance with rules and regulations adopted by the superintendent of public instruction, school districts shall implement procedures for nomination, assessment and selection of their most highly capable students. Nominations shall be based upon data from teachers, other staff, parents, students, and members of the community. Assessment shall be based upon a review of each student's capability as shown by multiple criteria intended to reveal, from a wide variety of sources and data, each student's unique needs and capabilities. Selection shall be made by a broadly based committee of professionals, after consideration of the results of the multiple criteria assessment.

(2) Students selected pursuant to procedures outlined in this section shall be provided, to the extent feasible, an educational opportunity which takes into account each student's unique needs and capabilities and the limits of the resources and program options available to the district, including those options which can be developed or provided by using funds allocated by the superintendent of public instruction for that purpose.

NEW SECTION. Sec. 12. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Supplementary funds as may be provided by the state for this program, in accordance with RCW 28A.41.162, shall be categorical funding on an excess cost basis based upon a per student amount not to exceed three percent of any district's full-time equivalent enrollment.

NEW SECTION. Sec. 13. The following acts or parts of acts are each repealed:

- (1) Section 28A.16.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.010;
- (2) Section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; and
- (3) Section 28A.16.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.030.

NEW SECTION. Sec. 14. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW a new section to read as follows:

(1) All public high schools of the state shall provide a program, directly or otherwise, for students whose educational plans include application for entrance to a baccalaureate-granting institution after being granted a high school diploma. The program shall help these students to meet at least the entrance requirements under section 18 of this act.

(2) The state board of education, upon request from local school districts, shall be authorized to grant temporary exemptions from providing the program described in subsection (1) of this section for reasons relating to school district size and availability of staff authorized to teach subjects which must be provided.

NEW SECTION. Sec. 15. 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 boards of regents and trustees of the regional universities, state universities, and The Evergreen State College shall waive tuition, operating, and service and activities fees for recipients of the Washington scholars award under RCW 28A.58.820 through 28A.58.832. To qualify for the waiver, recipients shall enter the college or university within three years of high school graduation and maintain a minimum grade point average at the college or university equivalent to 3.50. Such waivers shall not extend beyond completion of the baccalaureate degree or five consecutive school years, whichever is sooner.

NEW SECTION, Sec. 16. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

(1) The boards of regents or trustees of the state universities, regional universities, and The Evergreen State College shall establish minimum admissions requirements which include the completion of the following program of high school study or comparable college coursework:

- (a) English for four years;
- (b) Mathematics for three years, including one year of algebra and one year of geometry;
- (c) Science for two years, including one year of laboratory science;
- (d) Social science for three years;
- (e) Foreign language for two years;
- (f) Two years of electives chosen from the areas in this subsection, one year of which may be in art or music.

(2) The boards of regents or trustees shall ensure that special admission procedures shall be available to applicants who may be unable to meet the requirements specified in subsection (1) of this section for admission. Such applicants must be able to submit additional evidence of academic capability sufficient to ensure that the applicant will benefit from or contribute to the institutions' undergraduate program: PROVIDED, That such special admission procedures shall not be interpreted as guaranteeing admittance to the institutions. The special admission of students into educational opportunity programs shall be included in this special admission procedure.

NEW SECTION, Sec. 17. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

The boards of regents or trustees of the state universities, regional universities, and The Evergreen State College, in consultation with the council for postsecondary education, shall mutually set uniform academic transfer policies for students who complete Washington state community college associate degrees.

NEW SECTION, Sec. 18. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction shall develop procedures for project grants to school districts to assist in the development of innovative programs for the retention of students in the common school system.

NEW SECTION, Sec. 19. Implementation of sections 5, 9, and 18 of this act and the amendment to RCW 28A.03.360 by section 7 of this act are each subject to funds being appropriated or available for such purpose or purposes.

NEW SECTION, Sec. 20. Section 18 of this act shall take effect July 1, 1989.

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."

On page 1, line 1 of the title, after "education," strike the remainder of the title and insert "amending section 1, chapter 90, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.090; amending section 1, chapter 98, Laws of 1975-'76 2nd ex. sess. and RCW 28A.03.360; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; creating a new section; repealing section 2, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.092; repealing section 28A.16.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.010; repealing section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; repealing section 28A.16.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.030; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Galloway, the House refused to concur in the Senate amendments to Substitute House Bill No. 1246, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1462 with the following amendments:

On page 1, beginning on line 8, strike all material through "time." on page 2, line 19 and insert the following:

"Sec. 1. Section 33, chapter 35, Laws of 1945 as last amended by section 6, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.04.320 are each amended to read as follows:

(1) For the purpose of payment of contributions, 'wages' means:

(a) The remuneration paid by one employer during any calendar year to an individual in its employment under this title or the unemployment compensation law of any other state in the amount specified in RCW 50.24.010(;;);

(b) Tips reported to an employer pursuant to the United States Internal Revenue Code; and

(c) If an employer (hereinafter referred to as a successor employer) during any calendar year acquires substantially all the operating assets of another employer (hereinafter referred to as a predecessor employer) or assets used in a separate unit of a trade or business of a predecessor employer, and immediately after the acquisition employs in his trade or business an individual who immediately before the acquisition was employed in the trade or business of the predecessor employer, then, for the purposes of determining the amount of remuneration paid by the successor employer to the individual during the calendar year which is subject to contributions, any remuneration paid to the individual by the predecessor employer during that calendar year and before the acquisition shall be considered as having been paid by the successor employer.

(2) For the purpose of payment of benefits, 'wages' means:

(a) The remuneration paid by one or more employers to an individual for employment under this title during his base year: PROVIDED, That at the request of a claimant, wages may be calculated on the basis of remuneration payable. The department shall notify each claimant that wages are calculated on the basis of remuneration paid, but at the claimant's request a redetermination may be performed and based on remuneration payable; and

(b) Tips reported to employers pursuant to the United States Internal Revenue Code.

(3) 'Remuneration' means all compensation paid for personal services including commissions and bonuses and the cash value of all compensation paid in any medium other than cash. The reasonable cash value of compensation paid in any medium other than cash and the reasonable value of gratuities shall be estimated and determined in accordance with rules prescribed by the commissioner.

'Remuneration' does not include payments to members of a reserve component of the armed forces of the United States, including the organized militia of the state of Washington, for the performance of duty for periods not exceeding seventy-two hours at a time."

Strike all of section 2 and insert:

NEW SECTION, Sec. 2. This act shall take effect on July 1, 1985."

On page 1, line 4 of the title after "50.04.320; and" strike all the material down to and including "50.20.050" on line 6 and insert "providing an effective date" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House refused to concur in the Senate amendments to Engrossed House Bill No. 1462, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3181, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House insisted on its position on Substitute Senate Bill No. 3181, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3194, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Walk, the House insisted on its position on Substitute Senate Bill No. 3194, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3415 was ruled beyond the scope and object of the bill, and the Senate asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rust, the House insisted on its position on Engrossed Substitute Senate Bill No. 3415, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 3815, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Sommers moved that the House insist on its position on Second Substitute Senate Bill No. 3815 and again ask the Senate to concur therewith.

Mr. Struthers spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion that the House insist on its position on Second Substitute Senate Bill No. 3815 and ask the Senate to concur therein, and the motion was carried by the following vote: Yeas, 56; nays, 42; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Sommers, Stratton, Sutherland, Tanner, Todd, Van Luven, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Allen, Ballard, Barrett, Betzozoff, Bond, Broback, Brough, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3827, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. D. Nelson, the House insisted on its position on Substitute Senate Bill No. 3827, and asked the Senate to concur therewith.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 4306, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Niemi, the House insisted on its position on Substitute Senate Bill No. 4306, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 4309, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House insisted on its position on Engrossed Senate Bill No. 4309, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 1, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4381, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Pruitt, the House insisted on its position on Substitute Senate Bill No. 4381, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 1, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 4435, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House insisted on its position on Engrossed Substitute Senate Bill No. 4435, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, except for section 1 and the title amendment pertaining to section 1, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. D. Nelson moved that the House insist on its position on Engrossed Substitute Senate Bill No. 4490, and ask the Senate for a conference thereon.

Mr. Isaacson spoke in favor of the motion, and it was carried.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 4578, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Rust, the House receded from its amendments to Substitute Senate Bill No. 4578, except for the amendment to page 1, and asked the Senate to concur in the amendment.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 4579, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House insisted on its position on Substitute Senate Bill No. 4579, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 4607, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Rust, the House receded from its amendment to page 2, line 13 and insisted on the amendment to page 2, line 23 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4653, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Kreidler, the House insisted on its position on Engrossed Substitute Senate Bill No. 4653, and asked the Senate to concur therein.

SENATE AMENDMENT TO HOUSE BILL

March 1, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A supplemental budget as set forth in this 1984 act is hereby adopted and, subject to the provisions set forth in this 1984 act, the several amounts specified in this 1984 act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the designated agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1983, and ending June 30, 1985, except as otherwise provided, out of the several funds of the state hereinafter named, and making other appropriations.

INDEX

Accountancy Board, sec. 125
 Administrator for the Courts, sec. 110
 Agriculture Department, sec. 308
 Arts Commission, sec. 526
 Attorney General, sec. 116
 Blind Commission (Department of Services for the Blind), sec. 223
 Central Washington University, sec. 520
 Commerce and Economic Development Department, sec. 305
 Community College Education Board, sec. 516
 Corrections Department, sec. 201
 Corrections Standards Board, sec. 224
 Court of Appeals, sec. 109
 Criminal Justice Training Commission, sec. 218
 Deferred Compensation Committee, sec. 135
 Eastern Washington University, sec. 519
 Ecology Department, sec. 302
 Economic and Community Development Department, sec. 612
 Emergency Services Department, sec. 131
 Employment Security Department, sec. 222
 Energy Office, sec. 301
 Environmental Hearings Office, sec. 303
 Expo '86 Commission, sec. 310
 Financial Management Office, sec. 117
 Fisheries Department, sec. 306
 General Administration Department, sec. 121
 Governor, sec. 112
 Governor, Special Appropriations, sec. 601
 Higher Education Personnel Board, sec. 524
 Horse Racing Commission, sec. 126
 Hospital Commission, sec. 221
 House of Representatives, sec. 101
 Human Rights Commission, sec. 217
 Insurance Commissioner, sec. 122
 Judicial Qualifications Commission, sec. 111
 Labor and Industries Department, sec. 219
 Law Library, sec. 108
 Legislative Budget Committee, sec. 103
 Legislative Evaluation and Accountability Program Committee, sec. 104
 Lieutenant Governor, sec. 113
 Liquor Control Board, secs. 127, 128
 Licensing Department, sec. 402
 Military Department, sec. 132
 Minority and Women's Business Enterprises Office, sec. 134
 Natural Resources Department, sec. 307
 Parks and Recreation Commission, sec. 304
 Personnel Department, sec. 118
 Pharmacy Board, sec. 129
 Planning and Community Affairs Agency, sec. 216
 Postsecondary Education Council, sec. 523
 Prison Terms and Paroles Board, sec. 220
 Public Disclosure Commission, sec. 123
 Public Employment Relations Commission, sec. 133
 Retirement Systems Department, sec. 124
 Retirement Contributions, sec. 602
 Revenue Accrual Account, secs. 608-610
 Revenue Department, sec. 119
 Secretary of State, sec. 114
 Senate, sec. 102
 Sentencing Guidelines Commission, sec. 225

- Social and Health Services Department, secs. 202-214
 - Administration and Supporting Services, sec. 211
 - Community Services Administration, sec. 212
 - Developmental Disabilities Program, sec. 205
 - Income Assistance Program, sec. 207
 - Juvenile Rehabilitation Program, sec. 203
 - Medical Assistance Grants Program, sec. 208
 - Mental Health Program, sec. 204
 - Long-Term Care Program, sec. 206
 - Public Health Program, sec. 209
 - Reappropriations, sec. 214
 - Revenue Collections Program, sec. 213
 - Vocational Rehabilitation Program, sec. 210
- State Convention and Trade Center, sec. 605
- State Actuary, sec. 105
- State Auditor, sec. 115
- State Library, sec. 525
- State Patrol, sec. 401
- State Treasurer, Federal Revenues for Distribution, sec. 603
- Statute Law Committee, sec. 106
- Sundry claims, sec. 606
- Superintendent of Public Instruction, secs. 501-514
 - Basic Education Formula, sec. 502
 - Educational Clinics, sec. 514
 - Educational Service Districts, sec. 509
 - Gifted Programs, sec. 513
 - Handicapped Costs, sec. 508
 - Pupil Transportation, sec. 506
 - Remediation Assistance Program, sec. 511
 - Salary and Compensation, secs. 503-505
 - Special Needs Program, sec. 510
 - Transition Bilingual Program, sec. 512
 - Vocational-Technical Institutes, sec. 507
- Supreme Court, sec. 107
- Tax Appeals Board, sec. 120
- Temporary Committee on Educational Policy, Structure and Management, sec. 527
- The Evergreen State College, sec. 521
- Transportation Department, sec. 403
- University of Washington, sec. 517
- Utilities and Transportation Commission, sec. 130
- Veterans Affairs Department, sec. 215
- Washington Centennial Commission, sec. 309
- Washington State University, sec. 518
- Western Washington University, sec. 522

PART I
GENERAL GOVERNMENT

Sec. 101. Section 2, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation	\$ ((22,425,000))
	<u>22,387,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$400,000 or the portion thereof that is determined necessary by the house of representatives shall be allocated for, but not limited to, providing furnishings and equipment for new hearing room and office renovations.

(2) \$25,000 is provided solely for the joint committee on science and technology for the purposes of the production of an environmental study on the state-leased low-level radioactive waste site at Hanford, Washington.

Sec. 102. Section 3, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SENATE

General Fund Appropriation	\$ ((20,111,000))
	<u>20,044,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$185,000 or the portion thereof that is determined necessary by the senate shall be allocated for, but not limited to, providing furnishings and equipment for new hearing room and office renovations.

(2) \$25,000 is provided solely for the joint committee on science and technology for the environmental study described in section 2(2) of this act.

Sec. 103. Section 4, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ~~((1,387,000))~~
 1,458,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$20,000 is provided solely for a peer review of the state auditor's office.

(2) ~~((The legislative budget committee shall conduct a performance audit of the common school preschool handicapped program with respect to staffing and severity ratios and shall submit a report to the legislature before January 1, 1984))~~ \$73,000 is provided solely to conduct or have conducted a performance audit of the state's tourism promotion program. The performance audit should include, but not be limited to, identification of:

(a) The number of jobs actually created by and retained due to the state's promotion activities;

(b) The number of additional travelers who vacationed in the state due to the state's promotional activities;

(c) Who benefits from the expenditure of state tourism dollars; and

(d) The actual additional tax revenues collected that are directly attributable to the state's promotional activities. The completed audit shall be submitted to the legislature before January 1, 1985.

Sec. 104. Section 5, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ~~((1,531,000))~~
 1,523,000

Sec. 105. Section 6, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ~~((346,000))~~
 344,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any services related to the retirement systems established under RCW 28B.10.400 shall be billed to the requesting agency or higher education institution.

(2) Proposals shall be presented to the committees on ways and means of the senate and house of representatives not later than January 10, 1985, for (a) appropriate actuarial level funding methods which may be used for the retirement systems established under chapters 2.10 and 2.12 RCW and the supplemental payments under the retirement systems established under RCW 28B.10.400 et seq., and (b) any modifications or basic reforms in the aforementioned judicial retirement systems.

(3) \$35,000 of the appropriation in this section shall be used solely for the process of filling the vacancy of the state actuary.

Sec. 106. Section 7, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((5,120,000))~~
 5,094,000

Sec. 107. Section 8, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((7,126,000))~~
 7,075,000

General Fund—Judiciary Education Account Appropriation \$ 1,378,000

Total Appropriation \$ ~~((8,504,000))~~
 8,453,000

The appropriations in this section are subject to the following conditions and limitations: \$1,853,000 of the general fund appropriation and \$1,378,000 of the judiciary education account appropriation are provided solely for the indigent appeals program.

Sec. 108. Section 9, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((2,036,000))~~
 2,030,000

The appropriation in this section is subject to the following conditions and limitations: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 109. Section 10, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation	\$	((9,030,000))
		8,999,000

Sec. 110. Section 11, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((21,555,000))
		21,680,000
General Fund—Judiciary Education Account Appropriation	\$	1,310,000
Total Appropriation	\$	((22,865,000))
		22,990,000

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

(1) A maximum of ~~\$((8,524,000))~~ 8,654,000 of the general fund appropriation may be spent for the superior court judges. Of this amount, \$330,000 is provided solely for criminal cost bills; ~~\$((300,000))~~ 430,000 is provided solely for mandatory arbitration costs; and \$135,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) \$610,000 of the judiciary education account appropriation is provided solely for judicial and support staff education programs.

(3) \$195,000 of the judiciary education account appropriation is provided solely for staff support for the judiciary education program.

(4) \$225,000 of the judiciary education account appropriation is provided solely for fall judicial conferences.

(5) \$280,000 of the judiciary education account appropriation is provided solely for education and training for the supreme court, the court of appeals, the law library, and the administrator for the courts' office.

(6) \$75,000 of the general fund is provided solely for the limited practice board. The board shall report to the committees on judiciary of the senate and house of representatives no later than January 15, 1985, regarding its activities during the biennium. The report shall include, but not be limited to: (a) information regarding revenues received to date, including their sources and amounts; (b) expenditures to date, including their purposes and amounts; (c) the number of applications for certification; (d) the number of applicants certified; (e) the educational courses and programs accredited by the board; (f) the number and scope of complaints received, investigations initiated, grievance hearings held, and disciplinary actions taken; (g) the standardized forms approved by the board; (h) the regulations adopted by the board; and (i) anticipated board activities in the ensuing biennium.

Sec. 111. Section 12, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL QUALIFICATIONS COMMISSION

General Fund Appropriation	\$	((426,000))
		424,000

Sec. 112. Section 13, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation	\$	((3,441,000))
		3,425,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$209,000 shall be used solely 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.

(2) \$154,000 shall be used solely for mansion maintenance.

(3) ~~\$((3,078,000))~~ 3,062,000 shall be used solely for executive operations.

Sec. 113. Section 14, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((249,000))
		248,000

Sec. 114. Section 15, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((4,942,000))
		6,685,000

General Fund—Archives and Records Management Account

Appropriation	\$	1,310,000
Total Appropriation	\$	((6,252,000))
		7,995,000

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

(1) ~~\$(920,000)~~ 789,000 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; PROVIDED, That the secretary of state review, audit and approve as accurate the costs incurred by the counties.

(2) \$1,912,000 is provided solely to reimburse counties for the state's share of election costs attributable under RCW 29.13.045 to the 1983 special primary and vacancy election for the office of United States Senator; PROVIDED, That the secretary of state review, audit, and approve as accurate the costs incurred by the counties.

(3) \$1,558,000 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.

Sec. 115, Section 20, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((512,000))
		514,000
General Fund Appropriation—Federal	\$	398,000
Motor Vehicle Fund Appropriation	\$	290,000
Municipal Revolving Fund Appropriation	\$	13,293,000
Auditing Services Revolving Fund Appropriation	\$	7,083,000
Total Appropriation	\$	((21,576,000))
		21,578,000

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

(1) If legislation is not enacted before July 1, 1983, permitting payment from the municipal revolving fund of the expenses of maintaining and operating the state auditor's office in connection with local government audits, the general fund appropriation in this section shall be increased by \$196,000 and the municipal revolving fund appropriation shall be reduced by \$196,000.

(2) \$3,000 of the general fund—state appropriation is provided solely for the payment of assessments by weed districts on state lands in accordance with RCW 17.04.180.

Sec. 116, Section 21, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((4,280,000))
		4,282,000
Legal Services Revolving Fund Appropriation	\$	25,683,000
Total Appropriation	\$	((29,971,000))
		29,965,000

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

(1) No moneys appropriated in this section may be expended for the support of the crime watch program.

(2) No moneys appropriated in this section may be expended for the support of the law enforcement assistance program.

(3) A maximum of \$313,000 is provided solely for the criminal litigation unit.

(4) \$24,000 of the general fund appropriation is provided solely for a consumer protection hotline within the consumer protection division.

Sec. 117, Section 22, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((1,616,000))
		12,353,000
General Fund Appropriation—Federal	\$	50,000
Medical Aid Fund Appropriation—State	\$	100,000
Data Processing Revolving Fund Appropriation	\$	1,368,000
Total Appropriation	\$	((13,134,000))
		13,871,000

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

(1) Not more than \$2,500,000, of which \$1,132,500 is from the state general fund and \$1,367,500 from the data processing revolving fund, is provided for expenses related to the agency financial reporting system (AFRS). The office of financial management shall allocate moneys to various state agencies on the basis of identified need. Whenever allocations are made to agencies financed in whole or in part by other than general fund moneys, the director of financial management shall direct the repayment of such allocated amount to the data processing revolving fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

~~((3))~~ (2) \$20,000 is provided solely for a feasibility study of an offender-based corrections information system to serve the combined information needs of the department of corrections.

board of prison terms and parole, sentencing guidelines commission, corrections standard board, and the administrator for the courts, to be delivered to the legislature by December 1, 1984.

(3) \$775,000 of the general fund—state appropriation is provided solely for the Washington state patrol criminal history information system.

(4) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state of \$500 or less, pursuant to RCW 4.92.040.

(5) The office of financial management shall present to the legislature by December 1, 1984, a plan to have the state self-fund any or all portions of the insurance programs offered by the state. For purposes of this study, the reserves required by the self-funded programs shall be assumed to be held by the state treasurer in the originating funds until an obligation occurs. The state investment board shall act as the investor for the funds, and all of the earnings from these investments shall accrue directly to the originating funds.

Sec. 118. Section 24, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

Department of Personnel Service Fund Appropriation	\$	((8,625,000))
		8,753,000
State Employees' Insurance Fund Appropriation	\$	1,542,000
Total Appropriation	\$	((10,167,000))
		10,295,000

The appropriations in this section are subject to the following conditions and limitations: ~~((If House Bill No. 134 is enacted before July 1, 1983, the department of personnel service fund appropriation shall be reduced by \$275,000.))~~ \$45,000 from the department of personnel service fund is provided solely for a comparative study, jointly funded with the department of retirement systems and the higher education personnel board, of part-time employee policy and benefits. This study shall be directed to other states and representative private colleges and universities and private sector service-related enterprises as to their practices and policies for shared work, phased retirement, health care benefits, retirement allowances, and other related issues. A report shall be made to the legislature not later than December 21, 1984, containing findings and recommendations.

Sec. 119. Section 27, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((43,164,000))
		43,054,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	2,851,000
Motor Vehicle Fund Appropriation	\$	115,000
Total Appropriation	\$	((46,130,000))
		46,020,000

The appropriations in this section are subject to the following conditions and limitations: If the state timber tax reserve account is abolished and a timber excise tax account is established, the appropriation from the state timber tax reserve account shall be made from the timber excise tax account to the extent that moneys in the state timber tax reserve account are insufficient for the appropriation.

Sec. 120. Section 28, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((999,000))
		997,000

Sec. 121. Section 29, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,038,000))
		5,992,000
General Fund Appropriation—Private/Local	\$	58,000
General Fund—Motor Transport Account Appropriation	\$	6,858,000
General Administration Facilities and Services Revolving Fund		
Appropriation	\$	16,180,000
Total Appropriation	\$	((29,134,000))
		29,088,000

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

(1) The community college districts shall transfer to the motor transport account \$51,390 from the general local fund and \$157,389 from the local motor pool fund. These transfers shall be made in accordance with schedules provided by the office of financial management.

(2) The appropriation from the motor transport account may be used for the replacement of existing vehicles but shall not be used to expand the fleet.

Sec. 122. Section 30, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation \$ ~~((7,962,000))~~
7,925,000

The appropriation in this section is subject to the following conditions and limitations: \$50,000 is provided solely for the insurance commissioner to conduct a survey of, but not limited to, mandated health benefits and offerings by insurance carriers, health care service contractors, and health maintenance organizations that includes the cost and premiums charged, and the expense and claims experience incurred, by line of coverage for such offerings or benefits. A report containing such data shall be delivered to the legislature by December 1, 1985.

Sec. 123. Section 31, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation \$ ~~((976,000))~~
971,000

Sec. 124. Section 32, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense Fund Appropriation \$ ~~((16,456,000))~~
10,478,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The department of retirement systems is authorized to transfer from the applicable retirement system fund to the department of retirement systems expense fund amounts which represent each system's proportionate share of administrative expenses.

(2) \$20,000 is provided for the department of retirement systems to join with the department of personnel in conducting a study of part-time employee policy and benefits.

Sec. 125. Section 34, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation \$ ~~((294,000))~~
292,000
 Certified Public Accountant Examination Account Appropriation \$ 351,000
 Total Appropriation \$ ~~((645,000))~~
643,000

(The appropriations in this section are subject to the following conditions and limitations: If Substitute House Bill No. 646 is not enacted by July 1, 1983, the general fund appropriation shall be increased by \$317,000.)

Sec. 126. Section 37, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation \$ ~~((2,836,000))~~
3,480,000

The appropriation in this section is subject to the following conditions and limitations: If there are more than seven hundred two racing days during the fiscal biennium ending June 30, 1985, the governor is authorized to allocate such additional moneys from the horse racing commission fund as may be required.

Sec. 127. Section 38, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM, AND THE LICENSING AND ENFORCEMENT PROGRAM

Liquor Revolving Fund Appropriation \$ ~~((14,491,000))~~
14,676,000

The appropriation in this section is subject to the following conditions and limitations: \$185,000 is provided solely for beginning the development and implementation of a computerized data processing regulatory system.

Sec. 128. Section 39, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD—MERCHANDISING PROGRAM

Liquor Revolving Fund Appropriation \$ ~~((70,397,000))~~
70,212,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The liquor control board shall maintain a minimum productivity of 43,821 bottles sold adjusted to retail per FTE staff year. However, The board may, without regard to this productivity standard, utilize funds included in this section equal to three percent of lottery ticket sales in liquor stores for direct labor in the stores. As used in this section, "bottles sold adjusted to retail" has the same meaning and shall be calculated in the same manner as in the board's

budget request for the fiscal biennium ending June 30, 1985. The board shall not permit a productivity less than that specified in this section for any reason, including ~~((but not limited to the sale of lottery tickets or))~~ decreases in the demand for liquor.

(2) The liquor control board is authorized to relocate stores during the fiscal biennium ending June 30, 1985, if necessary to conduct business in the most efficient and economical manner possible.

(3) The liquor control board is prohibited from opening any new retail sales outlets or to convert agencies to retail sales outlets during the fiscal biennium ending June 30, 1985.

(4) The liquor control board shall distribute and offer for sale lottery tickets for the Washington state lottery during the fiscal biennium ending June 30, 1985.

Sec. 129. Section 40, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$	((1,072,000))
		1,033,000
<u>Health Professions Account Appropriation</u>	\$	200,000
<u>Total Appropriation</u>	\$	1,233,000

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

The health professions account appropriation is provided solely for the purpose of conducting drug-related investigations involving those licensed health care practitioners who are not licensed pharmacists. Nothing herein shall affect the authority of the department of licensing to adjust revenues from licensure fees proportionally by profession pursuant to RCW 43.24.086 to effectuate the purposes of this section.

Sec. 130. Section 41, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation—State	\$	((17,351,000))
		17,832,000
Public Service Revolving Fund Appropriation—Federal	\$	452,000
Grade Crossing Protective Fund Appropriation	\$	516,000
<u>Total Appropriation</u>	\$	((18,319,000))
		18,800,000

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

(1) \$320,000 of the grade crossing protective fund appropriation shall be expended for obligations incurred in previous biennia.

(2) Not more than \$110,000 shall be expended for an additional assistant attorney general for increased workload in utility rate requests.

(3) \$150,000 from the public service revolving fund appropriation is provided solely for the joint select committee on telecommunications regulation for the purposes of reviewing the consequences of changes in the telecommunications industry, including the AT&T divestiture.

(4) \$700,000 is provided solely for costs of the attorney general associated with representation of the public before the commission, including but not limited to the costs of special attorneys general, expert witnesses, technical assistants, and consultants.

(5) \$481,000 of the public service revolving fund appropriation is provided solely for the following purposes:

(a) To implement chapter 3, Laws of 1984;

(b) To conduct a study of local exchange costs, pricing, and investment;

(c) To conduct a study of rates of drop-off and bypass of telephone service;

(d) For six additional FTE staff units: Two utility service examiners and four research analysts; and

(e) For the citizens' advisory committee on utilities and telecommunications.

Sec. 131. Section 43, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	((766,000))
		882,000
General Fund Appropriation—Federal	\$	3,862,000
<u>Total Appropriation</u>	\$	((4,628,000))
		4,744,000

Sec. 132. Section 44, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((6,931,000))
		6,892,000
General Fund Appropriation—Federal	\$	1,723,000
<u>Total Appropriation</u>	\$	((8,654,000))
		8,615,000

Sec. 133. Section 45, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation \$ ~~((1,422,000))~~
1,560,000

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 1219 or similar legislation is not enacted prior to July 1, 1984, \$141,000 of the appropriation in this section shall lapse.

Sec. 134. Section 49, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund Appropriation \$ ~~((768,000))~~
766,000

((The appropriation in this section is subject to the following conditions and limitations: If Second Substitute Senate Bill No. 3236 is not enacted before July 1, 1983, the appropriation in this section shall lapse:))

NEW SECTION, Sec. 135. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE DEFERRED COMPENSATION COMMITTEE

Deferred Compensation Revolving Fund \$ 650,000

The appropriation in this section is subject to the following conditions and limitations:

(1) In order to implement the appropriation in this section, the deferred compensation committee is authorized to enter into an agreement with the state treasurer, with the consent of the state finance committee, under the authority of RCW 43.84.100. Repayment of any interfund loan agreed to shall be repaid, with appropriate interest, by June 30, 1989.

(2) The appropriation in this section shall revert to the deferred compensation revolving fund if Substitute Senate Bill No. 3926 is enacted into law.

PART II

HUMAN SERVICES

Sec. 201. Section 51, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

(a) \$2,153,000 is appropriated from the general fund for the continuation and expansion of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties. \$38,000 of the appropriation in this subsection (1)(a) is provided solely for the current Pierce county and Snohomish county treatment alternatives to street crime programs to implement the expansion program.

(b) ~~S((51,803,000))~~ 51,573,000 is appropriated from the general fund, subject to the following conditions and limitations:

(i) \$236,000 is provided solely for community diversion programs.

(ii) \$200,000 is provided solely for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

(iii) ~~S((25,458,000))~~ 25,344,000 is provided for probation and parole, other than for drug and alcohol specialized officers in counties currently or proposed to be served by the treatment alternatives to street crime programs.

(iv) ~~S((4,054,000))~~ 4,036,000 is provided for intensive parole.

(v) ~~S((16,952,000))~~ 16,876,000 is provided to operate and/or contract with nonprofit corporations for work training release for convicted felons.

(vi) ~~S((4,026,000))~~ 4,008,000 is provided to operate the Geiger community work release facility for convicted felons.

(vii) ~~S((877,000))~~ 873,000 is provided for support of the state director's office of community services.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State \$ ~~((206,860,000))~~
210,292,000

General Fund Appropriation—Federal \$ 700,000

Total Appropriation \$ ~~((207,560,000))~~
210,992,000

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

(a) \$712,000 of the general fund—state appropriation is provided solely for drug and alcohol rehabilitation treatment programs at appropriate state correctional institutions, as defined in RCW ~~((72.01-050))~~ 72.65.010 for persons who: (i) Are defined as inmates under RCW 72.09.020; (ii) in the opinion of a qualified health professional designated by the department, are in need of such treatment; and (iii) have less than one year remaining in their confinement to a state correctional facility. Such programs may include facilities for both residential and outpatient treatment.

(b) The superintendents of each correctional institution, as defined in RCW 72.65.010, and the administrators of work release facilities shall establish community-based volunteer alcohol and drug rehabilitation programs in their respective correctional institution or work release facility. The superintendents and administrators shall encourage groups conducting such programs outside the institutions or work release facilities to participate in such programs inside the institution or work release facility. An employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(c) ~~((The department shall))~~ \$1,370,000 of the general fund—state appropriation is provided solely for the department to contract with appropriate counties for the use of up to ((200)) 100 additional beds in county jails for state inmates. ((Contracted jail space shall be used for inmates who have not fully entered the state prison system and for inmates who are nearing their release date who are not appropriate for parole, work release, or early release.))

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation—State	\$	((13,270,000))
		13,983,000
General Fund—Institutional Impact Account Appropriation	\$	865,000
Total Appropriation	\$	((14,143,000))
		14,848,000

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

(a) \$1,480,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities and for the one-time cost impact associated with the double bunking at the Washington Corrections Center due to the significant increase in the inmate population and the consequent impact on the community.

(b) \$631,000 of the general fund—state appropriation is provided solely for the development of an offender-based information system.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation	\$	((5,463,000))
		5,439,000

The appropriation in this subsection is subject to the following conditions and limitations: \$13,500 may be used to develop a proprietary accounting system.

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes and no transfer shall be made among said subsections. However, moneys provided under subsection (2)(a) of this section may be transferred to the community services division for use in drug and alcohol rehabilitation programs in work release facilities.

Sec. 202. Section 52, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

~~((2))~~ The department of social and health services shall not initiate any services which will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on July 1, 1983. The department of social and health services may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of the amounts anticipated in this act. Any federal moneys not anticipated in this act and state general fund moneys made available as a result of unanticipated federal moneys shall not be spent to provide new services or programs without prior consultation with the ways and means committees of the senate and house of representatives.

Sec. 203. Section 53, chapter 76, Laws of 1983 1st 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	\$	((25,444,000))
		25,410,000
General Fund Appropriation—Federal	\$	54,000
Total Appropriation	\$	((25,498,000))
		25,464,000

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

(a) \$12,329,000 of the general fund—state appropriation is provided solely for consolidated juvenile services. The department shall use these moneys to reduce commitments to the department and promote alternatives to institutional bed usage. The department shall submit a report to the legislature by December 1, 1984, on the success of these services in preventing institutionalization and reducing recidivism.

(b) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((40,000,000))
		39,871,000

General Fund Appropriation—Federal	\$	788,000
Total Appropriation	\$	(40,796,000)
		40,659,000

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall be initially allotted as follows:

- (a) \$11,763,000, of which \$11,507,000 is from the general fund—state appropriation, and 390.0 FTE staff years for the Echo Glen Children's Center to operate at least eleven cottages.
- (b) \$9,836,000, of which \$9,638,000 is from the general fund—state appropriation, and 320.0 FTE staff years for the Maple Lane School to operate at full bed capacity.
- (c) \$10,356,000, of which \$10,212,000 is from the general fund—state appropriation, and 310.4 FTE staff years for the Green Hill School to operate at full bed capacity.
- (d) \$5,436,000, of which \$5,318,000 is from the general fund—state appropriation, and 159.0 FTE staff years for the Naselle Youth Camp to operate at full bed capacity.
- (e) \$3,405,000, of which \$3,333,000 is from the general fund—state appropriation, and 82.0 FTE staff years for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	(2,207,000)
		2,195,000

(4) The appropriations in subsections (1), (2), and (3) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

Sec. 204. Section 54, chapter 76, Laws of 1983 1st ex. sess. (unmodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(85,128,000)
		82,621,000
General Fund Appropriation—Federal	\$	(14,695,000)
		26,596,000
General Fund Appropriation—Local	\$	264,000
Total Appropriation	\$	(99,487,000)
		109,481,000

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

(a) The department is directed to develop at least 55 new community residential involuntary treatment act (ITA) beds and submit a report to the legislature by January 1, ~~(1984)~~ 1985, describing its progress in complying with this requirement.

(b) \$436,000 of the general fund—state appropriation is provided solely for pilot school-based early intervention projects in at least three school districts. The department shall issue a request for proposals no later than September 1, 1983, and shall contract with school districts no later than January 1, 1984. School districts shall be required to provide in-kind matching equal in value to at least 43% of the funding provided in this subsection. At least 85% of children served in each participating district shall be in grades kindergarten through three. Parental consent shall be required before any child is involved in screening or accepted into a project. Each project staff shall include a children's mental health professional and a paraprofessional coordinator. The department shall plan and administer the projects in consultation with the superintendent of public instruction, local school districts, licensed community mental health providers, and other community representatives. Of the amount provided in this subsection, up to \$70,000 may be expended for administration, training, and consultation by the department.

(c) \$465,000 is provided solely for a community psychiatric training program at the University of Washington to provide the following:

(i) Placement of psychiatry residents and other postgraduate trainees in both state mental institutions and community mental health programs;

(ii) Technical assistance to the department of social and health services; and

(iii) Continuing educational opportunities for mental health professionals state-wide.

(d) \$3,300,000 of the general fund—federal appropriation is provided for continuation grants to previously directly federally funded operations grants to mental health agencies.

(e) \$2,600,000 of the general fund—federal appropriation is provided for community support project grants.

(f) \$2,900,000 of the general fund—federal appropriation is provided for transitional grants to mental health agencies to serve general assistance—unemployable clients.

(g) \$600,000 of the general fund—federal appropriation is provided for enhancement of services for minority clients of mental health agencies who meet priority group definitions.

(h) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(107,845,000)
		107,530,000
General Fund Appropriation—Federal	\$	3,493,000

Total Appropriation	\$	((111,338,000)) 111,023,000
(3) PROGRAM SUPPORT		
General Fund Appropriation—State	\$	((2,854,000)) 2,845,000
General Fund Appropriation—Federal	\$	584,000
General Fund Appropriation—Local	\$	14,000
Total Appropriation	\$	((3,452,000)) 3,443,000

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal

\$	38,000
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(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

Sec. 205, Section 55, chapter 76, Laws of 1983 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	\$	((51,390,000)) 51,386,000
General Fund Appropriation—Federal	\$	((41,765,000)) 49,265,000
Total Appropriation	\$	((93,155,000)) 100,651,000

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

(a) \$100,000 of the general fund—state appropriation is provided solely for a contract marketing project to ensure greater access for small agencies providing long-term employment to individuals with severe developmental disabilities. The department shall determine the criteria for small agencies that will benefit from this marketing project and enlist the support of business, industry, and government in developing work opportunities. The department shall monitor the contract and submit a report to the legislature by December 1, 1984. The report shall include changes in the workers' wages and commercial revenue of the agencies involved during the period of the project.

(b) The appropriations in this subsection shall be initially allotted as follows:

(i) \$14,664,000 of the general fund—state appropriation for group homes to serve an average monthly caseload of 936 clients.

(ii) \$24,759,000, of which \$2,772,000 is from the general fund—state appropriation, for county services to serve an average monthly caseload of 3,837 clients.

(iii) \$8,390,000, of which \$6,922,000 is from the general fund—state appropriation, for field services to serve an average monthly caseload of 9,575 clients.

(iv) \$2,652,000, of which \$536,000 is from the general fund—state appropriation, for home aid to serve an average monthly caseload of 1,066 clients.

(v) \$33,036,000, of which \$16,842,000 is from the general fund—state appropriation, for title XIX residential services to serve an average monthly caseload of 965 clients.

(vi) \$956,000 of the general fund—state appropriation for alternative living to serve an average monthly caseload of 322 clients.

(vii) \$8,423,000 of the general fund—state appropriation for tenant support to serve an average monthly caseload of 541 clients.

(c) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(d) \$175,000 of the general fund—state appropriation is provided solely for the dental education in care of the disabled graduate training program with the University of Washington.

(e) \$2,226,000 of the general fund—state appropriation made available as a result of implementation of the community alternatives program—Title XIX medicaid waiver shall be placed in a reserve account. No expenditure may be made from this reserve account unless specifically authorized by law. The department shall report not later than December 1, 1984, to the ways and means committees of the senate and house of representatives on its implementation of the community alternatives program—Title XIX medicaid waiver. The report shall include the number of clients covered and served, the types of services provided, and the costs and savings associated with the waiver. The department shall not expend any state funds made available through the waiver to create new programs except the developmental disabilities adult dental care program.

(f) A maximum of \$1,274,000 of the general fund—state appropriation made available as a result of implementation of the community alternatives program—Title XIX medicaid waiver may be spent to increase employee compensation in community residential facilities serving developmentally disabled persons.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((100,012,000))
		<u>99,735,000</u>
General Fund Appropriation—Federal	\$	62,045,000
Total Appropriation	\$	((162,057,000))
		<u>161,780,000</u>

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall be initially allotted as follows:

- (a) \$40,686,000 and 1,584.2 FTE staff years for the Fircrest School to operate at a biennial average daily population of 496.
- (b) \$18,178,000 and 745.4 FTE staff years for the Interlake School to operate at a biennial average daily population of 250.
- (c) \$43,959,000 and 1,670.4 FTE staff years for the Rainier School to operate at a biennial average daily population of 512.5.
- (d) \$29,668,000 and 1,219.0 FTE staff years for the Lakeland Village School to operate at a biennial average daily population of 350.
- (e) \$12,266,000 and 475.2 FTE staff years for the Yakima Valley School to operate at a biennial average daily population of 150.
- (f) \$4,773,000 and 191.6 FTE staff years for the Frances Haddon Morgan Children's Center to operate at a biennial average daily population of 54.
- (g) \$4,562,000 and 151.8 FTE staff years for the School for the Blind to operate at a biennial average daily population of 63.
- (h) \$7,965,000 and 235.8 FTE staff years for the School for the Deaf to operate at a biennial average daily population of 205.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	((3,742,000))
		<u>3,732,000</u>
General Fund Appropriation—Federal	\$	864,000
Total Appropriation	\$	((4,606,000))
		<u>4,596,000</u>

(4) SPECIAL PROJECTS

General Fund Appropriation—State	\$	((911,000))
		<u>908,000</u>
General Fund Appropriation—Federal	\$	1,152,000
Total Appropriation	\$	((2,063,000))
		<u>2,060,000</u>

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

Sec. 206, Section 56, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE SERVICES

General Fund Appropriation—State	\$	((217,004,000))
		<u>217,073,000</u>
General Fund Appropriation—Federal	\$	211,341,000
Total Appropriation	\$	((428,425,000))
		<u>428,414,000</u>

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

(1) The department shall provide a coherent system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources.

(2) \$323,831,000, of which \$162,984,000 is from the general fund—state appropriation, is provided for nursing home services.

~~((a)) Of the amounts provided in this subsection (2), \$0,000,000, of which \$4,000,000 is from the general fund—state appropriation, is provided solely for implementation of cost reimbursement rate reform pursuant to Substitute Senate Bill No. 3780 or Senate Bill No. 3920 and chapter 74.46 RCW. If Substitute Senate Bill No. 3780 and Senate Bill No. 3920 fail to become law by July 1, 1983, such portion of the appropriation shall lapse and a separate amount of \$6,000,000, of which \$3,000,000 is from the general fund—state appropriation, shall be provided solely for independent certified audits of nursing homes under RCW 74.46.120.~~

~~(b)) Vendor rate adjustments for inflation under chapter 74.46 RCW shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.~~

~~(3) \$8,000,000, of which \$4,000,000 is from the general fund—state appropriation, ((shall be placed in a reserve account. The department shall report not later than January 1, 1984, to the ways and means committees of the senate and house of representatives on efforts to divert clients from unnecessary nursing home placements through the use of the community options program entry system federal waiver. The report shall include data on the number of clients so diverted, the types of care and/or services provided to such clients as alternatives to nursing home placement, and the costs and savings associated with such diversions. No expenditure~~

may be made from the reserve account established in this subsection unless specifically authorized by law)) is released from reserve status. These moneys are provided solely for the chore services program.

(4) \$85,869,000, of which \$44,159,000 is from the general fund—state appropriation, is provided solely for community-based long-term care services including congregate care, adult family home care, chore services, home health care, nutrition services, transportation services, and case management services.

(a) \$452,000 of the general fund—state appropriation is provided solely for increased rates and respite care payments for adult family homes to promote participation in the program.

(b) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(c) \$14,112,000 of the general fund—state appropriation is provided for implementation of the senior citizens services act. At least 7.0% of this amount shall be used for 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 and shall not be transferred or used for any other purpose.

(d) \$41,095,000, of which \$18,277,000 is from the general fund—state appropriation, is provided for chore services. The department shall report to the legislature by December 1, ~~((1983))~~ 1984, regarding the client impact of revisions to the chore services program resulting from the 1983 amendments to RCW 74.08.541.

(e) \$30,210,000, of which \$11,318,000 is from the general fund—state appropriation, is provided for the services outlined in subsections (4) (e) (i) through (v) of this section and shall be initially allotted as follows:

(i) \$18,301,000 from federal funds is provided for the federal older Americans act.

(ii) \$1,193,000, of which \$602,000 is from the general fund—state appropriation, is provided for adult day health services.

(iii) \$51,000 is provided for nursing home discharge payments.

(iv) \$8,454,000 is provided for congregate care services.

(v) \$2,211,000 is provided for adult family home services.

(5) ~~\$(10,725,000))~~ 10,714,000, of which ~~\$(5,941,000))~~ 5,930,000 is from the general fund—state appropriation, is provided for the administration of long-term care services and shall be initially allotted as follows:

(a) ~~\$(2,618,000))~~ 2,613,000, of which ~~\$(1,755,000))~~ 1,750,000 is from the general fund—state appropriation, is provided for the bureau of aging and adult services.

(b) ~~\$(8,107,000))~~ 8,101,000, of which ~~\$(4,186,000))~~ 4,180,000 is from the general fund—state appropriation, is provided for the bureau of nursing home affairs.

Sec. 207, Section 57, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((359,127,000))
		374,252,000
General Fund Appropriation—Federal	\$	((314,381,000))
		329,502,000
Total Appropriation	\$	((673,508,000))
		703,754,000

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

(1) The department shall adopt by rule medical criteria for general assistance eligibility to ensure that eligibility determinations are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

~~((3))~~ (2) Public assistance grants shall not be prorated or otherwise reduced solely because of the presence in the household of an individual not legally responsible for the support of the assistance unit, and the department shall not assume any contribution from such individual for the support of the assistance unit.

~~((4))~~ (3) ~~\$(25,536,800))~~ 55,782,000, of which ~~\$(12,768,400))~~ 27,893,000 is from the general fund—state appropriation, is provided solely for aid to families with dependent children for two-parent families beginning on July 1, 1983, and continuing through June 30, ~~((1984))~~ 1985. Additional funds appropriated in this section may be expended for the program during such period. The department shall amend its state plan under title IVA of the federal social security act in order to secure federal matching funds for the program during such period.

((5)) (4) \$2,982,000 of the general fund—state appropriation is provided solely for general assistance to pregnant women under the 1983 amendments to RCW 74.04.005.

((6)) (5) Grant payment standards will be increased 2.5% on July 1, 1983, and 3.0% on July 1, 1984, for aid to families with dependent children, general assistance, consolidated emergency assistance, and refugee assistance.

((7)) (6) It is the continuing intention of the legislature that payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs contain an energy allowance to offset the high and rising costs of energy, and that such allowance be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$65,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8	or more
Exemption:	\$21	27	32	39	44	50	59	64	

((8)) (7) The appropriations in this section shall be initially allotted as follows:

(a) \$18,133,000 from federal funds for refugee assistance.

(b) \$509,490,000, of which \$236,082,000 is from the general fund—state appropriation, for aid to families with dependent children—regular.

(c) \$25,536,000, of which \$12,768,000 is from the general fund—state appropriation, for aid to families with dependent children—employable.

(d) \$32,361,000 of the general fund—state appropriation for supplemental security income payments.

(e) \$66,332,000, of which \$65,127,000 is from the general fund—state appropriation, for general assistance to unemployable persons.

(f) \$2,982,000 of the general fund—state appropriation for general assistance to pregnant women.

(g) \$10,954,000, of which \$5,477,000 is from the general fund—state appropriation, for the consolidated emergency assistance program.

(h) \$3,061,000 of the general fund—state appropriation for burial assistance.

(i) \$1,871,000, of which \$990,000 is from the general fund—state appropriation, for employment and training support.

(j) \$2,788,000, of which \$279,000 is from the general fund—state appropriation, for work incentive payments.

Sec. 208. Section 59, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((358,388,666)) 368,391,000
General Fund Appropriation—Federal	\$	((231,464,066)) 241,426,000
Total Appropriation	\$	((589,852,666)) 609,817,000

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

(1) ~~\$((13,355,866))~~ 33,321,000, of which ~~\$((6,677,966))~~ 16,681,000 is from the general fund—state appropriation, is provided solely for medical assistance and limited casualty program coverage for persons in two-parent families who are categorically related to the aid to families with dependent children program, between July 1, 1983, and June 30, ~~((1984))~~ 1985. Additional funds appropriated under this section may be expended for the coverage during such period. The department shall amend its state plan under title XIX of the federal social security act in order to secure federal matching funds for the coverage during such period.

(2) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) The legislature finds and declares that rising hospital costs are a vital concern. Therefore, it is essential that an effective cost control program be pursued. The department shall pay for inpatient hospital services under the federal medicaid program through the use of rates that are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated providers to provide services in conformity with applicable state and federal laws, regulations, and quality and safety standards.

(4) \$7,000,000 of the general fund—state appropriation ~~((shall be placed in a reserve account. The department is directed to report to the legislature not later than January 1, 1984, on its methods for establishing inpatient hospital payment rates, the changes it anticipates in such rates during the fiscal year ending June 30, 1985, the reasons therefor, and any anticipated additional expenditures for inpatient hospital treatment during such fiscal year. No expenditure shall be made from the reserve account established in this subsection until specifically authorized by law))~~ is released from reserve status. These funds are provided solely for fiscal year 1985 hospital payments.

(5) The department is directed to seek increased participation of 3,000 additional recipients over those currently enrolled in health maintenance organizations and individual practice associations. By December 31, 1984, the department shall report to the legislature on progress in these efforts.

(6) The department shall establish by rule a system to ensure that the appropriations in this section are not expended to cover persons who are already covered by private or other public programs.

(7) The department shall provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.

(8) The department shall reimburse health care providers licensed under chapters 18.53, 18.71, 18.22, and 18.57 RCW for comparable services at equal rates.

Sec. 209. Section 60, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM

General Fund Appropriation—State	\$	((38,988,000))
		<u>39,188,000</u>
General Fund Appropriation—Federal	\$	53,161,000
General Fund Appropriation—Local	\$	5,016,000
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	\$	20,000,000
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)—Reap- propriation	\$	21,826,000
Total Appropriation	\$	((138,991,000))
		<u>139,191,000</u>

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

(1) If federal moneys are received for state health planning purposes for the fiscal year ending June 30, 1985, an equal amount of the general fund—state appropriation shall lapse.

(2) \$1,261,000 is provided solely for poison control centers.

(3) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(4) \$250,000 of the general fund—state appropriation is provided solely for contracts on a competitive selection basis to public and private nonprofit nationally recognized academic or research organizations engaged in cancer research or in research concerning the effects of smoking on the cardiovascular and respiratory systems.

Sec. 210. Section 61, chapter 76, Laws of 1983 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	\$	((14,651,000))
		<u>14,028,000</u>
General Fund Appropriation—Federal	\$	25,602,000
Total Appropriation	\$	((39,653,000))
		<u>39,630,000</u>

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

(1) \$1,000,000 of the general fund—state appropriation is provided solely for rehabilitation services to income assistance clients who are not severely disabled. Such services shall be provided through the use of available, unmatched state funds. The division of vocational rehabilitation shall facilitate rapid referral and eligibility determination and provide services to appropriate income assistance clients who do not meet federal regulations for priority services.

(2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

Sec. 211. Section 62, chapter 76, Laws of 1983 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	\$	((55,494,000))
		<u>55,118,000</u>
General Fund Appropriation—Federal	\$	41,060,000
General Fund—Institutional Impact Account Appropriation	\$	75,000
Total Appropriation	\$	((96,629,000))
		<u>96,253,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$4,667,000, of which \$1,780,000 is from the general fund—state appropriation, is provided

solely for the information resource management plan. This plan shall include among its top priorities continuing 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 health services. Under this plan, the department of social and health services shall:

(1) Maintain the capability to provide the legislature with reports that analyze client, services delivery, and service cost data across all systems containing common client identifier information and provide unduplicated recipient counts and service histories;

(2) Incorporate the medicaid management information system into the common client identifier format;

(3) Develop rapid, flexible, and efficient data extraction and report generation; and

(4) Give priority to the following projects: (a) Community service management and operations system; (b) developmental disabilities management information system; (c) support enforcement management system; (d) automated birth certification system; and (e) mental health accounting system.

Sec. 212. Section 63, chapter 76, Laws of 1983 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	\$	((135,516,000))
		134,317,000
General Fund Appropriation—Federal	\$	((140,640,000))
		143,550,000
General Fund Appropriation—Local	\$	100,000
Total Appropriation	\$	((276,256,000))
		277,967,000

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

(1) \$350,000 of the general fund—state appropriation is provided solely for the victims of sexual assault program.

(2) \$608,000 of the general fund—state appropriation is provided solely for additional child protective service workers. These moneys shall be used to provide an additional 12.5 full time equivalent positions for a total of at least 237.2 for the fiscal year ending June 30, 1984, and an additional 16.2 full time equivalent positions for a total of at least 240.9 for the fiscal year ending June 30, 1985. ~~((Not later than December 1, 1983, the department shall submit a report to the social and health services and ways and means committees of the senate and house of representatives describing its compliance with the requirements of this subsection; indicating the average caseload of child protective service workers by region and state-wide; and indicating what level of funds would be required to achieve an average caseload of 38 cases per worker.))~~

(3) \$100,000 of the general fund—state appropriation is provided solely for grants to pay operating expenses of community-based private nonprofit social agencies that provide services to indigent families and senior citizens whose needs are not adequately met by government programs.

(4) \$427,000 of the general fund—state appropriation is provided solely for an increase in current staffing for family reconciliation services.

(5) \$2,181,000, of which \$1,283,000 is from the general fund—state appropriation, is provided solely for contracted training.

(6) \$235,000 of the general fund—state appropriation is provided solely for the council on child abuse prevention under chapter 43.121 RCW.

Sec. 213. Section 64, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REVENUE COLLECTIONS PROGRAM

General Fund Appropriation—State	\$	((11,867,000))
		11,801,000
General Fund Appropriation—Federal	\$	23,094,000
Total Appropriation	\$	((34,961,000))
		34,895,000

Sec. 214. Section 65, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS

General Fund Appropriation—State	\$	31,857,000
General Fund Appropriation—Federal	\$	((16,875,000))
		21,875,000
General Fund Appropriation—Local	\$	66,000
Total Appropriation	\$	((48,798,000))
		53,798,000

The appropriations in this section are subject to the following conditions and limitations: These general fund reappropriations shall be for services and supplies not in excess of the unexpended balances of the 1981-1983 appropriations for such purposes.

Sec. 215. Section 66, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((15,840,000))
		15,902,000
General Fund Appropriation—Federal	\$	2,237,000
General Fund Appropriation—Local	\$	3,336,000
Total Appropriation	\$	((21,413,000))
		21,475,000

The appropriations in this section are subject to the following conditions and limitations: ~~((200,000))~~ Not more than \$400,000 of the general fund—state appropriation is provided solely for assistance to veterans of the Viet Nam conflict, including counseling on delayed stress syndrome, employment training and placement, discharge review, advocacy and representation, education, and other services appropriate to assist such veterans in overcoming employment barriers and readjusting to civilian life.

Sec. 216. Section 67, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((2,735,000))
		6,488,000
General Fund Appropriation—Federal	\$	((53,560,000))
		107,217,000
Total Appropriation	\$	((56,303,000))
		113,705,000

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

(1) ~~((The appropriations in this section are for fiscal year 1984. Contingent on the provisions of chapter ... (ESHB 796), Laws of 1983 and chapter 43-88 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development.~~

~~((2))~~ (2) Not more than \$~~((419,000))~~ 856,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

~~((3))~~ (2) \$65,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ~~((... (SSB 3035)))~~ 231, Laws of 1983.

~~((4))~~ (3) \$~~((292,000))~~ 584,000 of the general fund—state appropriation, or so much thereof as may be necessary, shall be used for Mount St. Helens volcano zone enforcement patrol.

~~((5))~~ (4) \$~~((125,000))~~ 250,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

(5) \$176,000 of the general fund—state appropriation is provided solely for the purposes of an urban development action grant program.

(6) \$117,000 of the general fund—state appropriation is provided solely for the purposes of establishment of a community development finance program.

(7) \$92,000 of the general fund—state appropriation is provided solely for the administration of the weatherization program.

(8) \$30,000 of the general fund—state appropriation is provided solely for the start-up costs related to the housing program established under the housing and urban-rural recovery act of 1983.

(9) \$30,000 of the general fund—state appropriation is provided for a study of the feasibility of retaining branch-line and other rail services by a county or counties desiring to conduct an election pursuant to chapter 36.60 RCW prior to December 31, 1984.

(10) \$90,000 of the general fund—state appropriation is provided solely for a grant for the establishment of a state-wide coordinating center to provide training and technical support for city governments and business organizations involved in the community and economic revitalization and redevelopment of older downtown neighborhoods using the techniques developed by the National Trust for Historic Preservation National Main Street Center. Not later than December 1, 1985, the agency shall report to the legislature on current and anticipated economic benefits of the revitalization program assisted under this appropriation. Special attention shall be given to the amount of new investment in the building rehabilitation projects, the participants' capacity to match funds, the number of new businesses locating in participating downtown areas, and other factors reflecting the economic health of the business communities involved.

(11) \$500,000 is provided solely for the establishment of a local economic assistance program in fiscal year 1985.

(12) The 1984 amendments to this section are contingent on the enactment of Senate Bill No. 3238.

Sec. 217. Section 68, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((2,966,000))
		2,957,000
General Fund Appropriation—Federal	\$	941,000
Total Appropriation	\$	((3,909,000))
		3,898,000

The appropriations in this section are subject to the following conditions and limitations: Funds appropriated in this section may be expended to carry out the purposes of chapter ..., Laws of 1984 (Substitute Senate Bill No. 4623).

Sec. 218. Section 70, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—Criminal Justice Training Account Appropriation	\$	((6,654,000))
		6,654,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$161,000 is provided solely for the crime watch program.
- (2) \$170,000 is provided solely for support of the programs of the Washington association of sheriffs and police chiefs in assisting the commission to carry out RCW 43.101.180.
- (3) \$300,000 is provided solely for transmission to the Washington state patrol, to be distributed by the state patrol to local law enforcement agencies for the purchase of controlled substances in connection with undercover investigations by the local law enforcement agencies.
- (4) \$300,000 is provided solely for drug enforcement training.

Sec. 219. Section 71, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((5,770,000))
		5,749,000
General Fund—Crime Victims Compensation Account Appropriation	\$	7,345,000
Accident Fund Appropriation—State	\$	50,539,000
Accident Fund Appropriation—Federal	\$	51,000
Electrical License Fund Appropriation	\$	5,347,000
Medical Aid Fund Appropriation	\$	48,354,000
Plumbing Certificate Fund Appropriation	\$	255,000
Pressure Systems Safety Fund Appropriation	\$	758,000
Total Appropriation	\$	((118,419,000))
		118,398,000

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) Not more than \$50,000 of the accident fund appropriation and \$50,000 of the medical aid fund appropriation shall be expended for a study of the feasibility of consolidating the department's Olympia-area offices in one building, including the options of leasing, acquiring, or constructing such building. No state general fund moneys may be expended for this study. ~~((The department shall report to the legislature on the findings of the study by January 15, 1984.))~~

Sec. 220. Section 72, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation	\$	((2,975,000))
		2,966,000

Sec. 221. Section 73, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((357,000))
		356,000
General Fund—Hospital Commission Account Appropriation	\$	1,086,000
Total Appropriation	\$	((1,443,000))
		1,442,000

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

(1) The commission is directed to perform aggressive rate review of individual hospital services to ensure control of rising hospital costs and efficient and economic delivery of hospital health care services.

(2) Not later than December 1, ~~((1983))~~ 1984, the commission shall report to the legislature on current and anticipated hospital cost inflation. The report shall include an analysis of the

components of hospital operating costs and changes in those costs, together with reasons for each major change. Special attention shall be given to cost components which increase at a rate greater than inflation in the general economy of the state.

Sec. 222. Section 74, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((2,654,000)) 2,650,000
General Fund Appropriation—Federal	\$	133,049,000
General Fund Appropriation—Local	\$	17,159,000
Administrative Contingency Fund		
Appropriation—Federal	\$	6,638,000
Unemployment Compensation Administration Fund Appropriation	\$	92,543,000
Total Appropriation	\$	((252,043,000)) 252,039,000

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

(1) \$786,000 is provided solely for the ex-offender work orientation program to serve a minimum of 1,094 ex-offenders in the community, and provide work orientation to a minimum of 500 offenders pending release. Services to offenders in addition to those provided under the appropriations in this section may be provided upon reimbursement by the department of corrections at the rate of \$605 per participant.

(2) \$313,000 is provided solely for the career awareness program to provide services to 371 ex-offenders. Services may be provided to additional ex-offenders upon reimbursement by the department of corrections at the rate of \$844 per participant.

(3) The employment security department, through the youth employment exchange or other programs, shall provide for the recruitment of corps members and the receipt of federal funds for the conservation corps established under Engrossed Second Substitute Senate Bill No. 3624.

(4) \$600,000 from the general fund—state appropriation shall be used solely for contracting with other agencies for carrying out the purposes of chapter ~~((= (265B-3624)))~~ 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the cost per enrollee shall not be greater than \$5,000, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) In administering the work incentive program under chapter 74.23 RCW, the department shall emphasize efforts to prepare registrants for long-term unsubsidized employment and economic independence. To the maximum extent permissible under federal law, and to the maximum extent to which exceptions to limitations on training duration may be obtained from the federal government, the department shall permit registrants to enter or continue in training programs that are aimed at preparing them for long-term unsubsidized employment and economic independence.

Sec. 223. Section 75, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ~~((COMMISSION))~~ DEPARTMENT OF SERVICES FOR THE BLIND

General Fund Appropriation—State	\$	((1,602,000)) 1,676,000
General Fund Appropriation—Federal	\$	3,415,000
Total Appropriation	\$	((5,097,000)) 5,091,000

The appropriations in this section are subject to the following conditions and limitations: The ~~((commission))~~ department of services for the blind shall report in writing by December 1, 1984, to the committees on ways and means of the senate and the house of representatives on the economy and effectiveness of the orientation and training center. The report shall include, but not be limited to, analysis of the characteristics of the clients and the target population, curriculum content and practices, client tracking after leaving the center, number of persons served, costs per client, and program costs.

Sec. 224. Section 76, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CORRECTIONS STANDARDS BOARD

General Fund Appropriation—State	\$	((512,000)) 770,000
General Fund—Local Jail Improvement and Construction Account		
Appropriation	\$	113,124,000
Total Appropriation	\$	((113,636,000)) 113,894,000

The appropriations in this section are subject to the following conditions and limitations: \$200,000 of the general fund—state appropriation is provided solely for a one-time grant to

the King County department of public safety for a text management system to be used by the Green River task force homicide investigation. The text management system shall be made available for use by law enforcement agencies of the state through interagency agreements.

Sec. 225. Section 77, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SENTENCING GUIDELINES COMMISSION

General Fund Appropriation	\$	((551,000))
		<u>548,000</u>

PART III

NATURAL RESOURCES

Sec. 301. Section 78, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	((1,104,000))
		<u>1,103,000</u>
General Fund Appropriation—Federal	\$	13,032,000
General Fund Appropriation—Private/Local	\$	60,000
General Fund—Geothermal Account Appropriation	\$	76,000
<u>Total Appropriation</u>	<u>\$</u>	<u>((14,196,000))</u>
		<u>14,271,000</u>

Sec. 302. Section 80, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	((20,937,000))
		<u>20,655,000</u>
General Fund Appropriation—Federal	\$	9,910,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$	68,000
General Fund—Reclamation Revolving Account Appropriation	\$	999,000
General Fund—Litter Control Account Appropriation	\$	4,310,000
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)	\$	14,511,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referen- dum 26)	\$	60,923,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	1,051,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referen- dum 27)	\$	8,788,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	1,926,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	9,343,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	((16,711,000))
		<u>2,211,000</u>
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referen- dum 38)	\$	15,805,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursu- ant to chapter 159, Laws of 1980 (Referendum 39)	\$	67,589,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Reappropriation (Ref- erendum 39)	\$	265,858,000
Game Fund Appropriation	\$	76,000
Total Reappropriation	\$	360,717,000
Total New Appropriation	\$	((30,280,000))
		<u>123,506,000</u>
<u>Total Appropriation</u>	<u>\$</u>	<u>((499,005,000))</u>
		<u>484,223,000</u>

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

(1) On or before October 1, 1983, the department of ecology shall file with the committees on ways and means of the senate and house of representatives and the office of financial management a master compilation by project type of those projects proposed for funding during the 1983-85 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 and the office of financial management at six-month intervals during the 1983-85 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 and the office of financial management 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 and the office of financial management of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities. In the event that the department does not comply fully and in a timely manner with the several compilations, updates, and modification reports required by this subsection, the director of the office of financial management is authorized to place in reserve the second year funds allotted to the department until such time as the documents are produced and distributed as directed herein.

(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) No grant or loan or combination thereof shall be made for preconstruction activities for projects which cannot be constructed without an increase in the remaining voter authorized bond capacity.

(6) \$985,000 of the general fund—state appropriation is provided for grants to activated air pollution control authorities.

(7) \$68,000 of the general fund—special grass seed burning research account appropriation shall be expended for funding of a grass burning research project by the University of Washington.

(8) \$1,500,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter (~~(=~~(255B-3624)) 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the cost per enrollee shall not be greater than \$5,000, inclusive of wages and administration, equipment, transportation, and residence costs; PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(9) \$85,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter (~~(=~~(55B-3156)) 243, Laws of 1983.

(10) (~~If House Bill No. 595 is enacted before July 1, 1983, the general fund—state and local improvements revolving account—water supply facilities appropriation shall be reduced by \$14,500,000.~~

(~~11~~) The department may operate, and seek and accept grants or gifts for the purpose of operating and maintaining, the Padilla Bay estuarine sanctuary and interpretive center.

(~~12~~) (11) \$152,000, of which \$76,000 is from the game fund appropriation and \$76,000 is from the general fund—federal appropriation, shall be expended for the maintenance and security of Padilla Bay estuarine sanctuary.

(~~13~~) ~~If either Substitute House Bill No. 712 or Second Substitute Senate Bill No. 3722 is enacted before July 1, 1983, the general fund—state appropriation shall be reduced by \$540,000.~~

(12) \$200,000 of the general fund—state appropriation is provided solely for flood management planning.

(13) \$50,000 of the general fund—state appropriation is provided solely for an environmental permit tracking system.

Sec. 303. Section 81, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation \$ ~~((712,000))~~
710,000

Sec. 304. Section 83, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State \$ ~~((27,927,000))~~
28,826,000
General Fund Appropriation—Private/Local \$ 566,000
General Fund—Trust Land Purchase Account Appropriation \$ 7,694,000
General Fund—Winter Recreation Parking Account Appropriation \$ 156,000
General Fund—Snowmobile Account Appropriation \$ 681,000
General Fund—Outdoor Recreation Account Appropriation \$ 152,000
Motor Vehicle Fund Appropriation \$ 800,000
Total Appropriation \$ ~~((37,976,000))~~
38,875,000

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

(1) The commission shall operate the state park system on a modified schedule that will allow for management closures that will facilitate maximum park maintenance efforts.

(2) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ~~((= (2SSB 3624)))~~ 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the cost per enrollee shall not be greater than \$5,000, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(3) \$962,000 of the general fund—state appropriation is provided solely for reimbursement to the tort claim revolving fund.

(4) \$79,000 of the general fund—state appropriation is provided solely for the second year funding of the boating safety program.

Sec. 305. Section 86, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation \$ ~~((3,066,000))~~
7,707,000

The appropriation in this section is subject to the following conditions and limitations: ~~((The appropriations are for expenditure by the department of commerce and economic development in fiscal year 1984. Contingent on the provisions of chapter — (ESHB 796), Laws of 1983 and chapter 43.88 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development.))~~

(1) Not more than \$2,287,000 may be expended for the tourism program in fiscal year 1985. \$750,000 of this amount is provided solely for the establishment of a private-sector state matching program. State funds may only be released on a dollar-for-dollar matching basis with private industry. The department is responsible for the development and administration of the program.

(2) Not more than \$573,000 may be expended for the administration program in fiscal year 1985.

(3) \$538,000 is provided solely for the foreign trade program in fiscal year 1985.

(4) \$931,000 is provided solely for the industrial development program in fiscal year 1985.

(5) \$150,000 is provided solely for the small business program in fiscal year 1985.

(6) All personal service contracts for fiscal year 1985 that, in the aggregate, are over \$10,000 shall be approved by the director of financial management and submitted to the chairmen of the house and senate ways and means committees prior to the approval.

(7) The department is authorized to transfer from the surplus of the state trade fair fund not more than \$270,000 to be used within the foreign trade program for uses authorized under RCW 43.31.832.

(8) \$40,000 is provided solely for a grant for the development of a project which seeks to stimulate public support for and understanding of this state's increasing international trade activity.

(9) \$40,000 is provided solely for the department to contract with the department of ecology for provision of professional assistance to firms confronting federal, state, and local requirements related to the acquisition of necessary permits and environmental approvals.

(10) The 1984 amendments to this section are contingent on the enactment of Senate Bill No. 3238.

Sec. 306. Section 87, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((38,614,000)) 38,635,000
General Fund Appropriation—Federal	\$	6,580,000
General Fund Appropriation—Private/Local	\$	2,083,000
Total Appropriation	\$	((47,277,000)) 47,298,000

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

(1) \$285,000 of the general fund appropriation, of which \$191,000 shall be from federal funds, or so much thereof as may be necessary, shall be expended for enhancement of the marine fish program.

(2) \$109,000 of the general fund—state appropriation shall be expended for the enhancement of the shellfish program.

(3) \$495,000 of the general fund—state appropriation shall be expended for additional salmon production.

(4) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter (~~((= (255B-3624)))~~) 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the cost per enrollee shall not be greater than \$5,000, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) \$140,000 of the general fund—state appropriation is provided solely for razor clam research.

(6) \$75,000 of the general fund—state appropriation is provided solely for a pilot enforcement project on Hood Canal. No more than two enforcement officers and all necessary support costs including equipment shall be dedicated to law enforcement on Hood Canal.

Sec. 307, Section 89, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((26,300,000)) 26,965,000
General Fund Appropriation—Federal	\$	451,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	((2,096,000)) 2,311,000
General Fund—Forest Development Account Appropriation	\$	10,373,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,539,000
General Fund—Survey and Maps Account Appropriation	\$	671,000
General Fund—Resource Management Cost Account Appropriation	\$	((61,067,000)) 60,692,000
General Fund—Geothermal Account Appropriation	\$	76,000
Total Appropriation	\$	((102,577,000)) 103,078,000

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

(1) ~~(((\$4,727,000 of the general fund—state appropriation shall be expended for the general administration program. Of this amount;))~~ \$1,100,000 ~~((shall be used))~~ of the general fund—state appropriation is provided solely to carry out the purposes of chapter (~~((= (255B 3624)))~~) 40, Laws of 1983(~~((;))~~) 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the cost per enrollee shall not be greater than \$5,000, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(2) \$50,000 ~~((shall be used))~~ of the general fund—state appropriation is provided solely to conduct a study of the continuous transfer of material and products across state lands(~~((and \$145,000))~~).

(3) \$338,000 of the general fund—state appropriation shall be used solely for the department of natural resources to ~~((vacate the first floor of the))~~ move from the house office and public lands buildings.

~~((2))~~ Not more than \$11,239,000 of the general fund—state appropriation shall be expended for the forest fire control program:

(3) Not more than \$6,787,000 of the general fund—state appropriation shall be expended for the assistance and regulation program:

(4) Not more than \$3,627,000 of the general fund—state appropriation shall be expended for the services program. ~~Of this amount;))~~ (4) Not more than \$843,000 of the general fund—state appropriation shall be used to fund ten additional honor camp teams. ~~((Funds used within this program for surveying shall be limited to the establishment of boundaries of state property:))~~

Sec. 308. Section 90, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((+0,166,000))
		<u>11,271,000</u>
General Fund Appropriation—Federal	\$	626,000
General Fund—Feed and Fertilizer Account Appropriation	\$	17,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	364,000
Commercial Feed Fund Appropriation—State	\$	365,000
Commercial Feed Fund Appropriation—Federal	\$	13,000
Seed Fund Appropriation	\$	1,029,000
Nursery Inspection Fund Appropriation	\$	((345,000))
		<u>455,000</u>
Total Appropriation	\$	((+2,925,000))
		<u>14,140,000</u>

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

(1) \$156,000 from the general fund—state appropriation shall be used to enhance the pesticide field investigations.

(2) \$60,000 from the general fund—state appropriation shall be used to enhance consumer services within the agricultural development program.

(3) \$300,000 from the general fund—state appropriation shall be used to establish a marketing program for the Washington wine industry and the department of agriculture shall present a proposal to the forty-ninth legislature which establishes a wine commodity commission.

(4) \$600,000 from the general fund—state appropriation shall be used solely for carrying out the purposes of chapter (~~((= (255B-3624)))~~) 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the cost per enrollee shall not be greater than \$5,000, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) \$104,000 is provided solely for a food bank coordinator and related costs.

(6) \$475,000 of the general fund—state appropriation is provided solely for the gypsy moth and apple maggot detection and control program. Aerial gypsy moth eradication shall be limited to biological control agents.

Sec. 309. Section 92, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON CENTENNIAL COMMISSION

General Fund Appropriation	\$	((226,000))
		<u>225,000</u>

NEW SECTION. Sec. 310. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE EXPO '86 COMMISSION

General Fund—State Appropriation	\$	320,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$130,000 is provided solely for operational purposes.

(2) \$190,000 of the appropriation is provided solely for the initial planning and design for exhibition space and facilities for Washington state participation in the exposition, provided that not more than \$10,000 of this amount shall be spent on studies and specifications relating to the use of a ferry-type vessel as a part of the exhibition space.

PART IV
TRANSPORTATION

Sec. 401. Section 93, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	((+1,467,000))
		<u>12,106,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) ~~(((\$1,466,000))~~ \$1,821,000 is provided solely for the narcotics section, as authorized by RCW 43.43.610 and 43.43.620 and shall be limited to providing information to law enforcement agencies in the state on narcotic and drug law violations and providing investigative assistance on matters of state-wide concern.

(2) ~~((666,000))~~ 824,000 is provided solely for the organized crime intelligence unit, as authorized by RCW 43.43.854 and shall be limited to intelligence gathering activities which assist law enforcement agencies and prosecutors in cases of state-wide significance.

Sec. 402. Section 94, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((12,077,000)) 12,798,000
General Fund—Architects' License Account Appropriation	\$	373,000
General Fund—Optometry Account Appropriation	\$	119,000
General Fund—Professional Engineers' Account Appropriation	\$	602,000
General Fund—Real Estate Commission Account Appropriation	\$	4,591,000
General Fund—Board of Psychological Examiners Account Approp- riation	\$	66,000
Game Fund Appropriation	\$	187,000
Highway Safety Fund Appropriation	\$	((36,502,000)) 38,415,000
Highway Safety Fund—Motorcycle Safety Education Account Appropriation	\$	237,000
Motor Vehicle Fund Appropriation	\$	((34,693,000)) 35,233,000
Total Appropriation	\$	((89,527,000)) 92,621,000

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

(1) \$450,000 of the general fund appropriation is provided solely for the design and development of a Uniform Commercial Code automated lien filing and search system. If other legislation authorizing expenditures for a Uniform Commercial Code automated lien filing and search system is enacted before July 1, 1983, the general fund—state appropriation in this section shall be reduced by the amount actually expended under the other legislation.

(2) \$66,446 is provided solely for the department of licensing to employ competent persons on a temporary basis to assist the dental hygiene examination committee in conducting examinations for dental hygiene licensure. The dental hygiene examination committee shall be reimbursed pursuant to RCW 43.03.050.

(3) If House Bill No. 1698 or similar legislation delaying the implementation of chapter 72, Laws of 1983, is enacted prior to July 1, 1984, the motor vehicle fund state appropriation shall be reduced by \$510,000.

(4) \$1,833,000 of the highway safety fund appropriation is provided solely for the purposes of chapter 165, Laws of 1983, and is subject to the following conditions and limitations:

(a) \$478,000 of the amount in this subsection (4) is provided solely for attorney general services. No other moneys may be spent for this purpose.

(b) The department of licensing shall maintain complete and separate accounting and reporting systems for expenditures under this subsection (4).

(c) If Substitute House Bill No. 977, or other legislation delaying the effective date of section 47, chapter 165, Laws of 1983, is enacted before July 1, 1984, the amounts provided in this subsection (4) shall lapse.

NEW SECTION, Sec. 403. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

Motor Vehicle Fund Appropriation	\$	200,000
General Fund Appropriation	\$	100,000
Total Appropriation	\$	300,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided for a cooperative study between the department of transportation and the Washington public ports association to develop a long-range strategic planning document for each mode of transportation and its impact on future economic growth in the state. The study shall recognize the interrelationship between the modes and the integrated nature of the transportation network, in that any changes, new developments, or problems which occur in one mode impact all other modes. The study shall include, but not be limited to: An assessment of the reasons for the current and projected changes in transportation patterns, modal shifts and locational influences; the impact on the highway network due to deregulation of rail and motor carriers, continued abandonment of rail lines, and the increasing demands for port development and navigable waterway system expansion; the effect of new marketing techniques and efficiencies on terminal consolidation; and the need for adequate accessibility to port areas. The appropriations are contingent upon agreement by the Washington public ports association to contribute additional financial support for this project in an amount not less than fifteen percent of the total funds appropriated in this section. The department of transportation and Washington public ports association shall solicit financial and technical support from other sources in the governmental and private sectors.

PART V EDUCATION

Sec. 501. Section 96, chapter 76, Laws of 1983 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	\$	((13,381,000))
		16,274,000
General Fund Appropriation—Federal	\$	6,540,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((20,381,000))
		23,274,000

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

(1) Not more than \$460,000 may be expended for the state office administration of the traffic safety education program, including inservice training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) Not more than \$244,882 of the general fund—state appropriation shall be expended for a program to provide additional inservice training for math, science, and computer technology instructors.

(3) Not more than \$200,000 of the general fund—state appropriation may be expended for school districts to purchase materials and provide teacher training related to instruction on drug and alcohol abuse education and prevention in kindergarten through grade twelve.

(4) \$30,000 dollars of the general fund—state appropriation is provided for additional meetings and travel by the state board of education.

(5) \$1,796,000 is provided solely for the implementation of House Bill No. 1660 during the 1984-85 school year. Funds provided in this subsection are contingent on the enactment of House Bill No. 1660 during the 1984 legislative session.

(6) \$904,000 is provided solely for the implementation of House Bill No. 1246 during the 1984-85 school year. Funds provided in this subsection are contingent on the enactment of House Bill No. 1246 during the 1984 legislative session.

(7) \$20,000 is provided solely for an exemplary study to be conducted by at least the Rosalia, Tekoa, Oakesdale, Garfield and St. John school districts to examine means by which these and other small school districts may utilize cooperative and multi-district efforts to provide programs for educational excellence in small districts.

Sec. 502. Section 97, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985

General Fund Appropriation	\$	((2,912,752,000))
		2,917,618,000

The appropriation in this section is subject to the following conditions and limitations:

(1) As a condition to the allocation of funds to school districts appropriated pursuant to this section, the superintendent of public instruction shall require school districts to ensure that no salary and compensation increases for the 1984-85 school year from any fund source whatsoever are in excess of those amounts for state recognized increments, insurance benefit increases, and/or for those identified salary increases as specified in this act: PROVIDED, That any state recognized increment increase, insurance benefit increase, and/or salary increase found to be greater than that specified in this act shall be in violation of the conditions to the receipt of funds appropriated in this act for school districts; therefore, the superintendent of public instruction shall withhold an amount equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance: PROVIDED FURTHER, That the superintendent of public instruction shall additionally require school districts to ensure that no recognized group of employees as identified in RCW 28A.58.095 shall increase their relative total salary or insurance benefit position at the expense of any other recognized group of employees using the district's authorized total salary and benefit increase allocation for the 1984-85 school year. Any such group of employees which has clear and convincing evidence that its district is in violation of this proviso may present such clear and convincing evidence in a challenge to the superintendent of public instruction, who shall determine the validity of the group's challenge. If sustained, the district shall be deemed in violation of the conditions to the receipt of funds appropriated in this act for school districts and the superintendent of public instruction shall withhold an amount in addition to any funds withheld pursuant to the preceding provision equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance.

(2) 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: PROVIDED, That in skill centers, the ratio shall be one certificated

staff unit for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in an approved vocational education program.

(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;

(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.

(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.

(3) (a) For nonemployee related costs with each certificated staff unit determined under subsection (2) (a), (c), and (d) of this section, there shall be provided a maximum of \$5,287 per staff unit in the 1983-84 school year and a maximum of ~~\$(5,562)~~ 5,462 per staff unit in the 1984-85 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (2)(b) of this section, there shall be provided a maximum of \$10,074 per staff unit in the 1983-84 school year and a maximum of ~~\$(10,598)~~ 10,408 per staff unit in the 1984-85 school year.

(4) 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 (2) (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.

(5) The superintendent shall distribute a maximum of ~~\$(15,286,000)~~ 17,088,000 outside the basic education formula as follows:

(a) A maximum of ~~\$(620,000)~~ 636,000 may be distributed to school districts for fire protection at a rate of \$1.056 in fiscal year 1984 and \$1.119 in fiscal year 1985 for each student attending a school located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) A maximum of \$1,650,000 may be expended for operation of vocational programs at each of the skill centers during the summer months, beginning in 1983.

(c) A maximum of \$272,000 may be distributed for school district emergencies.

(d) A maximum of ~~\$(4,366,000)~~ 3,613,000 may be expended for districts which experience an enrollment decline of at least four percent or more than three hundred full time equivalent students, whichever is less, from the enrollment of the prior year. For a qualifying district, the superintendent of public instruction shall increase the enrollment as otherwise computed by twenty-five percent of the full time equivalent enrollment loss from the previous school year.

(e) A maximum of \$3,720,000 in fiscal year 1984 and ~~\$(4,650,000)~~ 7,197,000 in fiscal year 1985 may be expended for substitute teachers. Funds shall be distributed to school districts at a rate not to exceed \$150 per year per full time equivalent classroom teacher in the basic education and handicapped programs for 1983-84 and \$250 per year for 1984-85.

(6) For the 1982-83 school year, if a school district is in violation of RCW 28A.58.095 the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation, applied to the district's basic education allocation.

Sec. 503. Section 101, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CERTIFICATED STAFF COMPENSATION

(1) The certificated compensation allocation for school year 1983-84 shall be the sum of the following subsections:

(a) Maintenance of compensation shall be calculated using each district's 1982-83 base salary established in LEAP Document 5 times the number of certificated staff units generated in section 97 (2) (a) through (d) of this act in each district times each district's particular 1982-83 average staff mix factor improved by 7.43%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 97 (2) (a) through (d) of this act.

(2) The certificated compensation allocation for school year 1984-85 shall be the sum of the following subsections:

(a) Maintenance of compensation calculated by using each district's 1982-83 base salary established in LEAP Document 5 times the number of staff units generated in section 97 (2) (a) through (d) of this act times each district's particular 1983-84 average staff mix factor improved by 7.66%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 97 (2) (a) through (d) of this act.

Sec. 504. Section 102, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CLASSIFIED STAFF COMPENSATION

(1) The 1983-84 basic education classified compensation allocation for each district shall be the sum of the following subsections:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 97 (4) (a) through (c) of this act, times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.55%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 97 (4) (a) through (c) of this act.

(2) The 1984-85 basic education classified compensation allocation for each district shall be the sum of the following:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 97 (4) (a) through (c) of this act, times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.78%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 97 (4) (a) through (c) of this act.

Sec. 505. Section 103, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES

General Fund Appropriation \$ ~~((71,983,000))~~
77,328,000

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 provided by this section shall be distributed by the superintendent of public instruction as specified in this section on an allocation basis only and may be expended by school districts for any state-funded activity.

(3) A maximum of ~~\$((26,110,000))~~ 26,311,000 shall be distributed for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$22 per month per full time equivalent staff unit in the 1983-84 school year and such amount shall be maintained in the 1984-85 school year.

(4) A maximum of \$4,286,000 shall be distributed in the 1984-85 school year for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$8 per month per full time equivalent staff unit.

(5) (a) A maximum of ~~\$((9,703,000))~~ 10,185,000 is provided, effective ~~((November 1, 1984))~~ January 1, 1985, for incremental fringe benefits in section 98(2) of this act and ~~((5.0%))~~ 7.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff as defined in section 98(1) of this act. With respect to the remaining state-supported classified staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a ~~((5.0%))~~ 7.0% salary increase using the pertinent program state-wide average salary for such staff.

(b) The salary increase authorized by subsection ~~((4)(a))~~ (5)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

(c) During the 1983-84 school year, the superintendent of public instruction, as part of the regular classified data reporting process, shall collect data regarding the length of service of

each basic education classified employee in their particular job classification. The superintendent of public instruction shall submit a report to the legislature prior to March 1, 1984, regarding the proposed allocation methodology as required by subsection ~~((4)(d))~~ (5)(d) of this section. Such a report shall consider present practices by the state personnel board in granting increments.

(d) The superintendent of public instruction shall, during the 1984-85 school year, allocate \$400,000 of the funds allocated by subsection ~~((4)(a))~~ (5)(a) of this section to each district in accordance with its particular 1983-84 complement of staff.

(e) Pursuant to RCW 84.52.0531(3), any school district having an average classified salary as shown on LEAP Document 5 of less than \$16,513 for the 1982-83 school year may grant salary increases to classified staff in the 1983-84 school year to achieve a maximum average classified salary of \$16,513. For purposes of allocating basic education funds in the 1984-85 school year, the superintendent shall modify LEAP Document 5 to reflect any increases given in accordance with this provision.

(f) A district shall not be in violation of RCW 28A.58.095 as a result of reporting revised staff mix data for the 1983-84 school year in accordance with the revised S-275 staff mix reporting instructions promulgated by the superintendent of public instruction. For 1984-85, the superintendent of public instruction shall modify LEAP Document 5 to assure that the average certified salary for a district shall neither increase nor decrease for apportionment purposes as a result of this subsection (5)(f).

(g) For purposes of allocating basic education funds, the superintendent shall modify LEAP Document 5 to reflect a derived base of \$15,637 effective September 1, 1983, for any district whose LEAP Document 5 certificated derived base is less than the LEAP Document 4 derived base.

~~((5))~~ (6) (a) A maximum of ~~\$(36,162,000))~~ 36,540,000 is provided effective ~~((November 1, 1984))~~ January 1, 1985, for incremental fringe benefits in section 98(2) of this act and ~~((5.0%))~~ 7.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times the district's ~~((1983-84))~~ 1983-84 staff mix factor (as defined in section 99(3) of this act) for state-supported basic education staff as defined in section 98(1) of this act. With respect to the remaining state-supported certificated staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a ~~((5.0%))~~ 7.0% salary increase times the pertinent state-wide average derived base salary improved by the 1983-84 staff mix of each district for such staff.

(b) The salary increase authorized by subsection ~~((5)(a))~~ (6)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

(c) A district that qualifies for a derived base change as specified in subsection (5)(g) of this section shall receive its salary increase as described in subsection (6)(a) of this section effective June 1, 1985, and the percentage increase shall be limited to 4.84% instead of the specified 7.0% figure.

~~((6))~~ (7) For purposes of RCW 28A.58.095, the following conditions and limitations apply:

(a) The sum of salary and insurance benefit increases granted by each school district for nonstate-supported staff shall not exceed those specified for state-supported staff of a district.

~~((c))~~ (b) Increments granted by school districts to certificated staff in the year in which the increments are given by a district 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 pursuant to LEAP Document 1.

(c) Salary increases provided by this section shall be applied to the respective district base salaries for certificated staff and the respective district average salaries for classified staff, each as specified in LEAP Document 5 as revised in accordance with this act.

(d) During the 1984-85 school year, districts may grant increases in insurance benefits to achieve a rate of \$179.00 per month per full time equivalent staff unit.

(e) For the 1984-85 school year, for the purpose of insurance benefit increases for classified employees, a full time equivalent employee is an employee contracted to work 1,440 hours per year or more. It is intended that the superintendent of public instruction shall distribute funds during July and August 1985 to support such increases for classified entitlements in state-funded programs as defined in section 98(1) of this act.

Sec. 506. Section 104, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION
General Fund Appropriation \$ ~~((168,874,000))~~
171,057,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of ~~\$(73,364,000))~~ 75,110,400 may be expended in the 1983-84 fiscal year.

(2) A maximum of \$712,000 may be expended for regional transportation coordinators.

(3) A maximum of \$53,000 may be expended for driver training.

(4) (a) A maximum of \$1,746,400 shall be allocated in the 1983-84 fiscal year to only those school districts that, assuming the 1983-84 formula operating allocation was funded at one

hundred percent, would receive less than sixty-five percent of their respective 1982-83 transportation operating expenditures.

(b) An eligible district shall receive money sufficient to either restore its preliminary allocation specified by bulletin 24-83 or the difference between its 1982-83 operating expenditures at sixty-five percent and the 1983-84 formula operating allocation calculated at one hundred percent, whichever is less.

(5) The superintendent of public instruction is directed to report to the ways and means committees of both houses no later than September 1, 1984, identifying:

(a) The specific problems associated with the implementation of chapter 61, Laws of 1983 1st ex. sess. (Substitute House Bill No. 296) which resulted in a transportation funding shortfall in many school districts during the 1983-84 school year;

(b) The steps which the superintendent is following to alleviate all such shortfalls in 1983-84 transportation allocations and to prevent similar problems from occurring in future school years;

(c) A plan to retroactively reimburse in the 1985 supplemental budget those districts whose transportation programs were underfunded in the 1983-84 school year due to the problems of implementing chapter 61, Laws of 1983 1st ex. sess. (Substitute House Bill No. 296).

Sec. 507, Section 105, chapter 76, Laws of 1983 1st 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	\$ ((53,586,000))
	53,440,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1983-84 school year appropriation is based on an enrollment of 10,638 full time equivalent students at a state support level per student of \$2,461, not including salary and insurance benefit increases.

(b) The 1984-85 school year appropriation is based on an enrollment of 11,255 full time equivalent students at a state support level per student of \$((2,491)) 2,480, not including salary and insurance benefit increases.

(2) Not more than \$619,000 of this appropriation may be expended for adult education.

Sec. 508, Section 107, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State	\$ ((271,088,000))
	279,894,000
General Fund Appropriation—Federal	\$ 27,641,000
Total Appropriation	\$ ((298,729,000))
	307,535,000

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

(1) A maximum of \$((125,586,000)) 129,914,000 of the general fund—state appropriation may be expended in fiscal year 1983-84.

(2) The superintendent of public instruction shall allocate funds in accordance with LEAP Document 6 for school year(s) 1983-84 and LEAP Document 6 revised as of February 22, 1984, for 1984-85.

(3) The superintendent shall establish a new system for district reporting of preschool handicapped enrollment which results in uniform reporting consistent with attendance laws and rules.

(4) For allocation of funds for the 1984-85 school year, the superintendent of public instruction shall exclude specific learning disabilities as one of the categories for classification as multiple handicapped.

(5) In the 1984-85 fiscal year the superintendent may transfer funds from this section to section 510 of this 1984 act to the extent that specific learning disabled category E enrollment is less than 6,532 students. Any such transfer shall be at a rate of \$169 per student.

Sec. 509, Section 109, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$ ((4,807,000))
	6,641,000
State Funding Sources	\$ ((3,664,000))
	1,830,000
Total Appropriation	\$ 8,471,000

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
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E.S.D. No. 101	\$(609,000)	\$(610,000)
	914,000	305,000
E.S.D. No. 105	\$(584,000)	\$(292,000)
	730,000	146,000
E.S.D. No. 112	\$(491,000)	\$(492,000)
	737,000	246,000
E.S.D. No. 113	\$(524,000)	\$(525,000)
	787,000	262,000
E.S.D. No. 114	\$(451,000)	\$(226,000)
	564,000	113,000
E.S.D. No. 121	\$(429,000)	\$(436,000)
	644,000	215,000
E.S.D. No. 123	\$(569,000)	\$(285,000)
	712,000	142,000
E.S.D. No. 171	\$(696,000)	\$(349,000)
	871,000	174,000
E.S.D. No. 189	\$(454,000)	\$(455,000)
	682,000	227,000
Total	\$(4,807,000)	\$(3,664,000)
	6,641,000	1,830,000

(2) For the 1983-84 school year, school districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 97 of this act on a per capita enrollment basis prior to June 30th (~~of each school year~~).

(3) 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. 510. Section 110, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR (~~BLOCK GRANTS~~) THE SPECIAL NEEDS PROGRAM
 General Fund Appropriation—State \$ ~~((45,957,000))~~
 26,538,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of ~~\$(27,328,000)~~ 23,605,900 may be expended in fiscal year 1983-84.

(2) ~~((A maximum of \$4,148,000 may be allocated by the superintendent for the support of specific learning disabled programs for the 1983-84 school year as reassessment of the currently eligible students occurs as a result of changes in state regulations.~~

(~~3~~) Of the appropriation provided by this section, a (~~minimum~~) maximum of ~~\$(28,632,000)~~ 13,728,000 shall be distributed as follows for the 1983-84 school year:

(a) 30% on the basis of full time equivalent enrollment;

(b) 18% on the basis of aid to families with dependent children income enrollment in the prior school year;

(c) 12% on the basis of minority enrollment in the prior school year;

(d) 12% on the basis of gifted enrollment in the prior school year;

(e) 12% on the basis of racial isolation enrollment in the prior school year;

(f) 6% on the basis of limited English speaking enrollment in the prior school year; and

(g) 10% on the basis of Indochinese refugees as defined by federal regulation.

Except as otherwise provided, the categories of enrollment shall be defined in accordance with the allocation methodology developed by the governor's advisory committee for chapter II of the education consolidation and improvement act in effect for the 1982-83 school year.

(~~4~~) (3) A maximum of ~~\$(12,900,000)~~ 12,495,000 may be distributed for the remaining months of the 1982-83 school year.

(~~5~~) (4) The funds allocated by subsection (~~3~~) (2) of 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; PROVIDED, That school districts shall expend these funds so that any programs listed in this subsection required to be offered by law shall receive first priority.

(~~6~~) (5) The superintendent of public instruction shall contract ~~\$(257,000)~~ 275,000 for services to support an approved gifted program to be conducted at Fort Worden state park. Of this amount, \$18,000 shall be expended for a high technology seminar to serve gifted high school students during the 1984-85 school year.

(~~7~~) (6) Salary and benefits increases are included in the funds allocated by this section.

(7) The superintendent of public instruction shall contract \$40,000 for services from the Cispus program.

NEW SECTION. Sec. 511. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE REMEDIATION ASSISTANCE PROGRAM

General Fund Appropriation \$ 10,575,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent shall distribute funds to districts for the 1984-85 school year at the rate of \$169 per entitlement unit. For the purposes of this section, 'entitlement unit' means the number of students enrolled in grades one through twelve in the district multiplied by the percentage of students taking the basic skills tests in the previous year who scored in the lowest quartile as compared to national norms, and then reduced by the number of students enrolled in grades one through twelve who receive special education instruction in basic skills pursuant to chapter 28A.13 RCW who scored in the lowest quartile as compared to national norms if the student's special education instruction is designed to address like needs as those addressed by the program of remediation.

(2) This appropriation includes funds for salary and incremental benefit increases for remediation assistance staff.

(3) The superintendent may transfer funds from the remediation assistance program to the handicapped program for specific learning disabled category 'E' enrollment to the extent it exceeds the assumptions set forth in revised LEAP Document 6 (February 22, 1984).

(4) This appropriation is provided solely for the 1984-85 fiscal year.

NEW SECTION, Sec. 512. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE TRANSITIONAL BILINGUAL PROGRAM

General Fund Appropriation \$ 3,039,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent shall distribute funds at a rate of \$350 per eligible student for the 1984-85 school year.

(2) This appropriation includes funds for salary and incremental benefit increases for transitional bilingual education staff.

(3) This appropriation is provided solely for the 1984-85 fiscal year.

NEW SECTION, Sec. 513. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GIFTED PROGRAMS

General Fund Appropriation \$ 1,642,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent shall distribute funds at a rate of \$290 per student for one percent of each district's total enrollment for the 1984-85 school year.

(2) This appropriation includes funds for salary and incremental benefit increases for gifted program staff.

(3) This appropriation is provided solely for the 1984-85 fiscal year.

Sec. 514, Section 115, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation \$ ~~(1,100,000)~~
2,100,000

The appropriation in this section is subject to the following conditions and limitations: The moneys provided by this section are intended to provide a relatively stable clinic enrollment funded from these moneys for the remainder of the biennium.

NEW SECTION, Sec. 515. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

The appropriations in this act to the state board for community college education and the four-year institutions of higher education are subject to the following conditions and limitations:

(1) Individual community colleges may provide off-campus programs within the respective district boundaries without prior legislative approval; (2) No four-year institution may enter into new contracts, leases, or other commitments to establish off-campus extension centers without prior legislative approval.

Sec. 516, Section 117, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

(1) General Fund Appropriation—Federal \$ 9,000

(2) \$9,665,000 is appropriated from the general fund for the replacement and repair of instructional equipment.

(3) \$3,310,587 is appropriated from the general fund for the small school adjustment to Skagit Valley (fiscal year 1984 only), Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The state board for community college education shall distribute such funds based on a ratio to be determined by the board for students below the 2,500 full time equivalent student enrollment level.

(4) ~~\$(232,526,606)~~ 221,036,710 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~(\$1,460 per academic year averaged for the biennium)~~ \$1,331 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 3.657 per year ~~((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request))~~.

(5) ~~\$(75,086,000)~~ 73,224,845 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~(\$452 per year averaged for the biennium)~~ \$441 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ~~((assumed in this act))~~. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ~~((basic direct))~~ instruction. Additional authority is granted to use up to 3.0% of the funds from this subsection for general college purposes as defined in subsection (6) of this section, reducing the support instructional resources per student proportionately.

(6) ~~\$(14,045,007)~~ 126,341,858 is appropriated from the general fund for general ~~((university))~~ college purposes, including plant maintenance, institutional support, state board operations, and instruction.

(7) \$25,000 is appropriated from the general fund to continue leases for three campus sites with the department of natural resources for fiscal year 1985.

(8) \$60,000 is appropriated from the general fund solely for the purpose of planning and coordinating a small business assistance network.

(9) The appropriations in this section are subject to the following conditions and limitations: The community college system shall maximize enrollment opportunities for vocational students.

Sec. 517, Section 118, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

(1) Accident Fund Appropriation \$ 1,563,000

(2) Medical Aid Fund Appropriation \$ 1,563,000

(3) \$1,773,000 is appropriated from the general fund for family practice medicine education and residency programs provided for by chapter 70.112 RCW.

(4) ~~\$(163,068,272)~~ 152,104,160 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~(\$3,147 per academic year averaged for the biennium)~~ \$2,921 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 1.687 per year ~~((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request))~~.

(5) ~~\$(65,307,000)~~ 59,253,142 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~(\$1,100 per year averaged for the biennium)~~ \$1,004 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ~~((assumed in this act))~~. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(6) ~~\$(165,463,728)~~ 181,738,698 is appropriated from the general fund for general university purposes, including research, public service, hospitals, plant maintenance, institutional support, and instruction.

(7) \$6,368,000 is appropriated from the general fund for equipment replacement.

(8) \$3,900,000 is appropriated from the general fund as a special enhancement for enrichment of instructional resources in the undergraduate programs offered by the university.

(9) \$160,000 is appropriated from the general fund for handling of the papers of Senators Jackson and Magnuson.

(10) The University of Washington shall request, in its 1985-87 operating budget, funds for expanded weekend and evening offerings in those science and engineering programs related to high technology industries.

(11) \$175,000 is appropriated from the general fund for the establishment of a mathematics, engineering, and science achievement program. The appropriation in this subsection shall not be effective until Senate Bill No. 4432 is enacted.

Sec. 518, Section 119, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

(1) ~~\$(80,069,096)~~ 74,390,173 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~(\$2,679 per academic year averaged for the biennium)~~ \$2,489 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes

shall be not less than 886 per year (~~and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request~~).

(2) ~~S((31:692:000)) 30,869,510~~ is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than (~~(\$990 per year averaged for the biennium))~~ \$964 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments (~~(assumed in this act)~~). Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(3) ~~S((115:613:104)) 120,974,217~~ is appropriated from the general fund for general university purposes including research, public service, plant maintenance, institutional support, and instruction.

(4) \$120,000 is appropriated from the general fund for rodenticide research.

(5) \$2,474,000 is appropriated from the general fund for equipment.

(6) \$2,100,000 is appropriated from the general fund as a special enhancement for enrichment of instructional resources in the undergraduate programs offered by the university.

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

(a) Washington State University shall make available whatever resources are requested by the office of financial management and the council for postsecondary education pursuant to section 120(5)(b) of this act.

(b) Courses classified as 'community service' in the public service program shall be provided on a self-supporting basis only. Beginning with the 1984-85 academic year, 'community service' shall be defined in the same manner as used by the state board for community college education to classify courses as self-supporting. Washington State University shall establish specific criteria and report to the ways and means committees of the house of representatives and the senate by July 1, 1984, on the courses designated as community service.

(8) \$80,000 is appropriated from the general fund to provide for a needs assessment and planning by the higher education institutions in the Spokane area for programs in engineering and technology to meet community and industrial needs. The institutions participating in the development of the needs assessment and planning shall include, but not be limited to, Washington State University, Gonzaga University, Eastern Washington University, Whitworth College and the Spokane Community College District. The funds appropriated herein shall be administered by Washington State University serving as agent of record.

Sec. 519. Section 120, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

(1) ~~S((33:304:063)) 30,542,310~~ is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than (~~(\$2,401 per academic year averaged for the biennium))~~ \$2,257 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 366 per year (~~and shall not fall below the student-to-faculty ratio as calculated in the governor's budget request~~).

(2) ~~S((11:675:000)) 11,548,920~~ is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than (~~(\$333 per year averaged for the biennium))~~ \$824 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments (~~(assumed in this act)~~). Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment (~~(basic direct))~~ instruction.

(3) ~~S((22:507:937)) 25,130,670~~ is appropriated from the general fund for general university purposes, including research, primary support, institutional support, and instruction.

(4) \$706,000 is appropriated from the general fund for equipment.

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

(a) No operating funds may be used for the lease or maintenance of the new Spokane Center Building until the facility becomes the property of the university.

(b) In order to best utilize facilities housing public university programs within the city of Spokane, the director of financial management shall provide a recommendation on the continuation and future needs of public higher education in the city of Spokane, specifically addressing opportunities for cooperative programs. The staff of the council for postsecondary education shall provide assistance as required by the office of financial management to conduct a program review of Spokane area higher education program needs. The office of financial management shall conduct a financial analysis of the Eastern Washington University Center for Higher Education located in Spokane as part of this recommendation. The office of financial management shall submit the recommendation to the legislature by October 1, 1983.

(6) The appropriations in this section are subject to the following conditions and limitations: Any enrollment growth associated with Spokane above the spring 1983 actual level will be

considered as an offset to campus enrollments at Cheney, with the effect that Eastern Washington University will include all state-funded Spokane enrollments in meeting the student funding requirements of the 1983-85 appropriations act. Additionally, any course offered as 'self-supporting' shall be offered at a cost that reflects the full cost of the class, including housing costs.

Sec. 520. Section 121, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

(1) ~~\$(27,676,105)~~ 25,274,633 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~((2,365 per academic year averaged for the biennium))~~ \$2,122 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 307 per year ~~((and shall not fall below the student-to-faculty ratio as calculated in the governor's budget request)).~~

(2) ~~\$(11,051,000)~~ 10,763,499 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~((5952 per year averaged for the biennium))~~ \$907 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys identified as budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ((assumed in this act)). Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ~~((basic direct))~~ instruction.

(3) ~~\$(17,509,815)~~ 19,974,868 is appropriated from the general fund for general university purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$604,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes. These funds shall not be used to meet the student full time equivalent minimum expenditure requirements for direct instruction and support resources in the 1983-85 appropriations act.

(5) \$646,000 is appropriated from the general fund for equipment.

Sec. 521. Section 122, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

(1) ~~\$(11,129,439)~~ 10,646,599 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~((2,519 per academic year averaged for the biennium))~~ \$2,319 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 125 per year ~~((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request)).~~

(2) ~~\$(7,344,000)~~ 7,183,724 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~((1,662 per year averaged for the biennium))~~ \$1,562 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, primary support, and student services. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ((assumed in this act)). Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ~~((basic direct))~~ instruction.

(3) ~~\$(9,982,561)~~ 10,932,677 is appropriated from the general fund for general college purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$462,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes. These funds shall not be used to meet the student full time equivalent minimum expenditure requirements for direct instruction and support resources in the 1983-85 appropriations act.

(5) \$579,000 is appropriated from the general fund for equipment.

(6) \$100,000 is appropriated from the general fund to the Washington state institute for public policy to conduct a study using the staff of the University of Washington to examine issues associated with the status of minorities in the Washington state corrections system.

Sec. 522. Section 123, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

(1) ~~\$(36,371,222)~~ 34,627,778 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~((2,204 per academic year averaged for the biennium))~~ \$2,098 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 421 per year ~~((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request)).~~

(2) ~~\$(12,551,000)~~ 12,320,336 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~(\$760 per year averaged for the biennium)~~ \$746 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ~~(assumed in this act)~~. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ~~(basic direct)~~ instruction.

(3) ~~\$(17,960,770)~~ 19,809,586 is appropriated from the general fund for general university purposes including research, primary support, institutional support, and instruction.

(4) \$1,881,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes. These funds shall not be used to meet the student full time equivalent minimum expenditure requirements for direct instruction and support resources in the 1983-85 appropriations act.

(5) \$1,590,000 is appropriated from the general fund for equipment.

Sec. 523. Section 124, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	(27,500,000)
		27,498,000
General Fund Appropriation—Federal	\$	3,526,000
State Educational Grant Appropriation	\$	40,000
Total Appropriation	\$	(31,074,000)
		31,064,000

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

(1) To the greatest extent possible, the council shall emphasize work study and other self-help programs in its financial assistance programs.

(2) The council staff shall provide assistance as required by the office of financial management to study the question of undergraduate and graduate education in Spokane.

(3) No less than \$24,265,713 shall be spent for student aid exclusive of agency administrative costs.

Sec. 524. Section 126, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION PERSONNEL BOARD

Higher Education Personnel Board Service Fund Appropriation	\$	(1,309,000)
		1,370,000

The appropriation in this section is subject to the following conditions and limitations: \$19,000 shall be used to join with the department of personnel in conducting a study of part-time employee policy and benefits.

Sec. 525. Section 127, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State	\$	(7,447,000)
		7,395,000
General Fund Appropriation—Federal	\$	2,297,000
General Fund Appropriation—Private/Local	\$	99,000
Washington Library Network Computer System Revolving Fund Appropriation—Private/Local	\$	(7,672,000)
		8,640,000
Total Appropriation	\$	(17,515,000)
		18,431,000

The appropriations in this section are subject to the following conditions and limitations: A minimum of \$75,000 of the general fund—state appropriation shall be expended for matching the costs of providing for the automation of the selection/circulation and inventory system for the Washington library for the blind and physically handicapped.

Sec. 526. Section 128, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	(2,742,000)
		2,739,000
General Fund Appropriation—Federal	\$	800,000
Total Appropriation	\$	(3,542,000)
		3,539,000

Sec. 527. Section 132, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE TEMPORARY COMMITTEE ON EDUCATION POLICY, STRUCTURE AND MANAGEMENT

General Fund Appropriation—State	\$	((600,000)) 598,000
General Fund Appropriation—Private/Local	\$	34,000
Total Appropriation	\$	((634,000)) 632,000

The appropriations in this section are subject to the following conditions and limitations: The temporary committee on education policy, structure and management shall conduct a study of the impact on vocational-technical institutes caused by their inclusion with classroom teachers in school district salary increase limitations imposed by chapter 16, Laws of 1981 (SHB 166) and subsequent appropriations acts and LEAP documents, and shall report the committee's findings and recommendations to the ways and means committees of the senate and house of representatives no later than December 1, 1984.

PART VI
SPECIAL APPROPRIATIONS

Sec. 601. Section 134, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION INCREASES

(1) There is appropriated for the four-year institutions of higher education from the

General Fund	\$	((+6,217,000)) 17,187,000
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(2) There is appropriated for the community college system from the

General Fund	\$	((9,179,000)) 9,760,000
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(3) There is appropriated for the department of corrections from the

General Fund	\$	((5,400,000)) 5,841,000
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(4) There is appropriated for the department of social and health services from the:

General Fund—State	\$	((+1,453,000)) 12,220,000
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General Fund—Federal	\$	((6,951,000)) 7,419,000
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(5) There is appropriated for other state agencies from the:

General Fund—State	\$	((7,064,000)) 8,341,000
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General Fund—Federal	\$	((+739,000)) 1,842,000
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(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase Revolving Fund	\$	((20,354,000)) 21,652,000
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(7) The appropriations in this section shall be expended to implement:

(a) Salary increases effective not later than January 1, 1985, to implement such portion of the 1982 salary survey (catch-up results) as possible, rounded to the next range if the application results in a fractional range, for higher education classified employees, state personnel board classified and exempt 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 (excluding student employees not under the jurisdiction of the state or higher education personnel boards);

(b) Merit/market increases effective not later than January 1, 1985, and not to exceed \$3,140,000 (of which \$3,128,000 is from the general fund) for faculty and administrative exempt employees of the four-year institutions of higher education: PROVIDED, That excluding the regional university and college faculty resource equalization moneys under sections 121 through 123 of this act, no research university, regional university, or state college may grant from any fund source whatsoever any salary increases greater than that provided in this section. The increases are to be granted solely on the basis of formal merit evaluation procedures which may take into account critical market disparities in teaching disciplines. The council for postsecondary education shall report to the governor and the legislature on the implementation of the increases no later than February 15, 1985;

(c) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1983, from \$137.00 per month to \$159.00 per month per eligible employee 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 state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$159.00 per eligible employee effective July 1, 1983 through June 30, 1984. ((Any

return of funds resulting from favorable claims experience during the 1983-85 biennium shall be held in reserve within the state employees' insurance fund.))

(d) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1984, from \$159.00 per month to \$167.00 per month per eligible employee 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 state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$179.00 per eligible employee effective July 1, 1984.

(e) The state employees insurance board's authority and practice of expending funds in the state employees insurance revolving fund generated by dividends or refunds is recognized, and the average contribution per eligible employee in subsections (c) and (d) of this section shall not be construed as a restriction on such expenditures: PROVIDED, That any moneys resulting from a dividend or refund shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1984 act and in no case may the maximum premium paid be more than \$179.00 per month per eligible employee. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this 1984 act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

(8) The community colleges may grant merit/market increases effective not later than January 1, 1985, and not to exceed \$2,038,000 of general fund moneys for faculty and administrative exempt employees: PROVIDED, That no community college district may grant from any fund source whatsoever any salary increase greater than that provided in this section. The council for postsecondary education shall report to the governor and the legislature on the implementation of any increases granted pursuant to this subsection no later than February 15, 1985.

~~((t))~~ (9) 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.

Sec. 602. Section 136, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—RETIREMENT CONTRIBUTIONS

General Fund Appropriation	\$	506,450,000
General Fund—Revenue Accrual Account Appropriation	\$	47,000,000
<u>Total Appropriation</u>	<u>\$</u>	<u>553,450,000</u>

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

(1) Not more than \$800,000 may be expended from the general fund appropriation for contributions to the judicial retirement system.

(2) Not more than \$550,000 may be expended from the general fund appropriation for contributions to the judges' retirement system.

(3) Not more than \$192,600,000 ~~((may be expended))~~ from the general fund appropriation and not more than \$35,250,000 from the revenue accrual account appropriation may be expended for contribution to the law enforcement officers' and fire fighters' retirement system.

(4) Not more than \$312,500,000 ~~((may be expended))~~ from the general fund appropriation and not more than \$11,750,000 from the revenue accrual account appropriation may be expended for contribution to the teachers' retirement system.

Sec. 603. Section 142, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for forest reserve fund distribution	\$	16,000,000
General Fund Appropriation for federal flood control funds distribution	\$	21,000
General Fund Appropriation for federal grazing fees distribution	\$	59,000
General Fund—Geothermal Account Appropriation	\$	((253,000))
		102,000

General Fund Appropriation for distribution under federal Public Law 97-99. Fifty percent of these moneys shall be allocated to local school districts according to a formula developed by the superintendent of public instruction and fifty percent of the moneys shall be allocated to counties for the benefit of public roads according to a formula developed by the state department of transportation

.....	\$	384,053
<u>Total Appropriation</u>	<u>\$</u>	<u>((16,333,000))</u>
		16,566,053

NEW SECTION. Sec. 604. (1) There is transferred from the general fund the sum of \$15,000 to be deposited in the essential rail assistance account in the general fund.

(2) There is appropriated for the biennium ending June 30, 1985, from the essential rail assistance account to the department of transportation the sum of \$15,000 to be used pursuant to chapter 47.76 RCW. Not more than \$5,000 of this appropriation may be used for elections pursuant to chapter 36.60 RCW.

Sec. 605. Section 8, chapter 1, Laws of 1983 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state convention and trade center account of the general fund to the state convention and trade center corporation for the biennium ending June 30, 1985, \$((2,024,360)) 2,724,360 for operational costs of the convention and trade center corporation. The appropriation in this section is subject to the following conditions and limitations:

(1) \$300,000 is for internal marketing functions.

(2) \$400,000 is for services contracted through the Seattle-King County convention and visitors bureau.

NEW SECTION. Sec. 606. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as are necessary, are appropriated from the general fund, unless otherwise indicated, for the payment of court judgments and 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) Payment of judgment in State v. Graves, Superior Court for Douglas County, Cause No. 1879, including interest	\$ 2,403.22
(2) Payment of judgment in Groves v. State, Superior Court for Snohomish County, Cause No. 81-1-00641-2, including interest	\$ 1,983.76
(3) Payment of judgment in State v. Botimer, Superior Court for King County, Cause No. 83-1-01538-0, including interest	\$ 30,269.08
(4) Payment of judgment in State v. Freund, Superior Court for Clark County, Cause No. 83-1-00236-2, including interest	\$ 8,931.72
(5) Payment of judgment in City of Lynnwood v. Quintero, Municipal Court of Lynnwood, Cause No. LC 9179, including interest	\$ 3,845.16
(6) Payment of judgment in State v. Dolan, South District Court for Snohomish County, Cause No. SR 2802, including interest	\$ 2,845.86
(7) Payment of judgment in H. H. Robertson Co. v. State, Superior Court for King County, Cause No. 82-2-07131-5, including interest	\$ 20,290.04
(8) Payment of judgment in Construction Erectors v. State, Superior Court for Thurston County, Cause No. 81-2-01584-8, including interest	\$ 70,406.61
(9) Payment of judgment in State v. Kuster, Superior Court for Spokane County, Cause No. 81-100232-4, including interest	\$ 17,988.66
(10) Payment of judgment in In re the welfare of Engebretson, Superior Court for Kitsap County, Cause No. JC-3303, including interest	\$ 846.58
(11) Payment of judgment in State v. Beasley, Superior Court for King County, Cause No. 83-1-02895-3, including interest	\$ 28,967.83
(12) Payment of judgment in State v. Martinez, Superior Court for Chelan County, Cause No. 6380, including interest	\$ 4,491.30
(13) Seattle School District No. 1, et al.; Payment of judgment in Seattle School District No. 1 v. State of Washington, United States District Court, Western District of Washington, Cause No. C81-276T, including interest	\$ 61,516.56
(14) Seattle School District No. 1, et al.; Payment to be disbursed in accordance with judgment in Seattle School District No. 1 of King County, et al. v. State of Washington, et al., United States District Court, Western District of Washington, Cause No. C78-753V, including interest	\$ 431,536.41
(15) City of Moses Lake, in full payment of all claims under Cause No. 83-2-01125-3 now before the Superior Court of Thurston County	\$ 10,460.14

NEW SECTION. Sec. 607. If Senate Bill No. 4767 is enacted prior to July 1, 1984, the house of representatives, the senate, and the state-wide elected officials are authorized to expend such sums as are necessary from their respective appropriations under the omnibus operating appropriations act, chapter 76, Laws of 1983 1st ex. sess., as amended by this act, to effectuate the salary increases authorized in Senate Bill No. 4767.

Sec. 608. Section 33, chapter 7, Laws of 1983 as amended by section 57, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.32.400 are each amended to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund, other than amounts reappropriated for the next fiscal biennium, to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system or, during the 1983-1985 fiscal biennium, for the purpose of discharging obligations which the legislature determines are correctly chargeable to a prior biennium. Moneys in the account shall be spent to implement Substitute Senate Bill No. 3287.

NEW SECTION. Sec. 609. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

Eight million one hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the revenue accrual account in the general fund to the department of social and health services for payment for services and supplies chargeable to the fiscal biennium ending June 30, 1983. The amounts spent under this section shall not exceed the unspent balances of the original appropriations provided for such services and supplies for the fiscal biennium ending June 30, 1983. If RCW 82.32.400 is not amended in 1984 to permit moneys in the revenue accrual account to be appropriated and spent for the purpose of discharging obligations that are correctly chargeable to a prior biennium, this appropriation shall lapse.

NEW SECTION. Sec. 610. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

(1) There is appropriated from the revenue accrual account of the general fund the sum of \$16,500,000 in settlement of all claims of all plaintiffs and defendants in the following civil actions, covering the period from January 1, 1978, through June 30, 1981, in the Superior Court for Thurston County:

(a) United Nursing Homes, Inc. et al. v. McNutt, Cause No. 59035;

(b) United Nursing Homes, Inc. et al. v. Thompson, Cause No. 80-2-01440-1;

(c) Washington State Health Facilities Association et al. v. Department of Social and Health Services, Cause No. 81-2-00076-0.

(2) If, before July 1, 1984, stipulated final judgment has not been entered in the Superior Court for Thurston County in each of the three civil actions identified in this section, covering all claims of plaintiffs and defendants for the period from January 1, 1978, through June 30, 1981, in amounts whose total, including costs, attorneys' fees, other fees, costs of distribution, and interest, does not exceed the \$16,500,000 appropriated in this section (not including amounts which may be payable as a result of administrative appeals under RCW 74.46.780 or its predecessor), this appropriation shall lapse. If such stipulated final judgment does not require (a) netting within facilities of all overpayments and underpayments incurred throughout the period from January 1, 1978, through June 30, 1981, and (b) repayment to the state of residual funds remaining after payment to plaintiffs of all audited allowable costs for such period plus costs of suit, attorneys' fees, other fees, costs of distribution, and interest, this appropriation shall lapse. The legislature determines that the amounts which may be payable as damages, along with costs, attorneys' fees, other fees, costs of distribution, and interest, in the three civil actions identified in this section are obligations correctly chargeable to prior biennia. If RCW 83.32.400 is not amended in 1984 to permit moneys in the revenue accrual account to be appropriated and spent for the purpose of discharging obligations which are correctly chargeable to a prior biennium, this appropriation shall lapse.

NEW SECTION. Sec. 611. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

For the purposes of section 143, chapter 76, Laws of 1983 1st ex. sess., moneys appropriated to the state treasurer for bond retirement and interest may be expended for ongoing bond registration and transfer charges.

NEW SECTION. Sec. 612. Section 47, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is hereby repealed.

NEW SECTION. Sec. 613. 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. 614. 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 "state agencies;" strike the remainder of the title and insert "amending section 2, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 3, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 4, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 5, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 6, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 7, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 8, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 9, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 10, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 11, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 12, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 13, chapter 76, Laws of 1983 1st ex.

sess. and RCW 82.32.400; adding new sections to chapter 76, Laws of 1983 1st ex. sess.; creating new sections; repealing section 47, chapter 76, Laws of 1983 1st ex. sess. (uncodified); and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Grimm moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 1156 and ask the Senate for a conference thereon.

Representatives Grimm, Cantu and B. Williams spoke in favor of the motion, and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 25, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1660 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction, in consultation with representatives of the state and regional universities, the council for postsecondary education, and the state board of education, shall develop a program to implement at least one campus educational research center located in the state of Washington. Any research center shall be located at an existing state or regional university campus and may be utilized by school districts and all teacher preparation institutions to assist in educational research and the field testing of new innovations in curriculum design, teaching methodology, management practices, and school organizational structures. The superintendent of public instruction shall report to the legislature and the temporary committee on educational policies, structure and management by January 1, 1985, on the plan for the organization and operation of any research center, locations, and costs related thereto. The superintendent of public instruction shall also make available to the temporary committee on educational policies, structure and management, prior to the presentation of the final plan, such information as may be developed in the preparation of the plan.

NEW SECTION, Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW a new section to read as follows:

(1) The superintendent of public instruction is hereby authorized to grant funds for selected school improvement and research projects, including improvements in curriculum, instruction, and classroom management developed by teachers.

(2) The superintendent shall appoint an advisory committee on research and development composed of certificated and noncertificated staff, administrators, curriculum specialists, parents, school directors, postsecondary educators, business persons, and others as the superintendent finds necessary. The committee shall propose criteria to the superintendent to evaluate proposed school improvement and research projects proposed by educational employees. The criteria approved by the superintendent shall: (a) Assure to the extent possible that projects will be chosen which represent the various geographical locations, school or district sizes, and grade levels existent in the state; (b) provide for evaluation of each project upon completion; and (c) include such other requirements as the superintendent finds necessary. The committee shall recommend to the superintendent of public instruction the awarding of grants to fund those proposals showing the most potential for developing knowledge which will be helpful to local districts in their efforts to enhance educational equity and excellence. Projects may involve the collaboration of personnel from higher education institutions and kindergarten through grade twelve educators.

(3) The superintendent of public instruction shall award grants to selected project participants in such amounts as recommended by the advisory committee on research and development under subsection (2) of this section and the sum of all grants awarded per year shall not exceed that amount appropriated by the legislature for such purposes. Grants may be awarded to individual teachers or teams of teachers including teacher's aides and volunteers.

(4) The superintendent of public instruction shall maintain a clearinghouse of information on these research projects for the use of local districts.

NEW SECTION, Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

(1) Recent and expanding activity in educational research has produced and continues to produce much valuable information. The legislature finds that such information should be

shared with the citizens and educational community of the state as widely as possible. To facilitate access to information and materials on education, the superintendent of public instruction shall act as the state clearinghouse for educational information.

(2) In carrying out this function, the superintendent of public instruction's primary duty shall be to collect, screen, organize, and disseminate information pertaining to the state's educational system from preschool through grade twelve, including but not limited to in-state research and development efforts; descriptions of exemplary, model, and innovative programs; and related information that can be used in developing more effective programs.

(3) The superintendent of public instruction shall maintain a collection of such studies, articles, reports, research findings, monographs, bibliographies, directories, curriculum materials, speeches, conference proceedings, legal decisions that are concerned with some aspect of the state's education system, and other applicable materials. All materials and information shall be considered public documents under chapter 42.17 RCW and the superintendent of public instruction shall furnish copies of educational materials at nominal cost, including information on the school improvement research projects under section 2 of this act.

(4) The superintendent of public instruction shall coordinate the dissemination of information with the educational service districts and shall publish and distribute, on a monthly basis, a newsletter describing current activities and developments in education in the state.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures on a regular basis. Each school may follow the accreditation process developed by the state board of education under RCW 28A.04.120(4), although no school is required to file for actual accreditation, or the school may follow a self-study process developed locally. Whatever process is used must focus upon the quality and appropriateness of the school's educational program and the results of its operational efforts.

Any self-study process must include the participation of staff, parents, members of the community, and students, where appropriate to their age.

Emphasis throughout the process shall be placed upon:

- (1) Achieving educational excellence and equity;
- (2) Building stronger links with the community; and
- (3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

The initial self-study process within each district shall begin by September 1, 1985, and should be completed for all schools within a district by the end of the 1989-90 school year.

The state board of education shall develop rules and regulations governing procedural criteria. Such rules and regulations should be flexible so as to accommodate local goals and circumstances. Rules and regulations may allow for waiver of the self-study for economic reasons and may also allow for waiver of the initial self-study if a district or its schools have participated successfully in an official accreditation process or in a similar assessment of educational programs within the last three years. The self-study process shall be conducted on a cyclical basis every seven years following the initial 1989-90 period.

The superintendent of public instruction shall provide training to assist districts in their self-studies.

Each district shall annually report to the superintendent of public instruction on the scheduling and implementation of their self-study activities.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction is hereby authorized to grant funds to local school districts to establish pilot projects in building-based management from funds appropriated to include that purpose or from funds otherwise available.

NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW a new section to read as follows:

The superintendent of public instruction shall develop, with the advice of the state board of education, school board members, administrators, the temporary committee on educational policies, structure and management and the institutions of higher education offering teacher training programs, a plan for an administrators training academy. The plan shall include components to develop management skills of board members, superintendents, principals, and other supervisory personnel. The plan should focus on developing leadership skills, curriculum improvement and upgrading, teacher evaluation and counseling, linkages with the community, enhancement of a positive learning environment, planning and goal setting, effective school research, finance, school law, and classroom management techniques and methods to make better use of the school day for learning and to reduce disruptions and nonteaching tasks for teachers.

The plan shall provide for the shared cost of the academy.

Sec. 7. Section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140 are each amended to read as follows:

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common school. The distribution formula shall have the primary objective of equalizing educational opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

- (1) Certificated staff and their related costs;
- (2) Classified staff and their related costs;
- (3) Nonsalary costs;
- (4) Extraordinary costs of remote and necessary schools and small high schools; and
- (5) The attendance of students pursuant to RCW 28A.58.075 and 28A.58.245, each as now or hereafter amended, who do not reside within the servicing school district.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature. Commencing with the 1980-81 school year, the formula adopted by the legislature shall reflect a ratio of not less than fifty certificated personnel to one thousand annual average full time equivalent students and one classified person to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect: PROVIDED, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in RCW 28A.58.754. The enrollment of any district shall be the annual average number of full time equivalent students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month. The definition of full time equivalent student shall be determined by rules and regulations of the superintendent of public instruction: PROVIDED, That the definition shall be included as part of the superintendent's biennial budget request: PROVIDED, FURTHER, That any revision of the present definition shall not take effect until approved by the house appropriations committee and the senate ways and means committee: PROVIDED, FURTHER, That the office of financial management shall make a monthly review of the superintendent's reported full time equivalent students in the common schools in conjunction with RCW 43.62.050.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, educational staff associate, learning resources specialist, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A-.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: PROVIDED, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision: PROVIDED, FURTHER, That the hiring of such noncertificated people shall not occur during a labor dispute and such noncertificated people shall not be hired to replace certificated employees during a labor dispute. Each annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall average at least twenty-five hours per week. Direct classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Up to two hundred minutes per week may be deducted from the twenty-five contact hour requirement, at the discretion of the school district board of directors, to accommodate authorized teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity. Implementing rules to be adopted by the state board of education pursuant to RCW 28A.58.754(6) shall provide that compliance with the direct contact hour requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional record-keeping by classroom teachers as a means of accounting for contact hours shall not be required. However, upon request from the board of directors of any school district, the provisions relating to direct classroom contact hours for individual teachers in that district may be waived by the state board of education if the waiver is necessary to implement a locally approved plan for educational excellence and the waiver is limited to those individual teachers approved in the local plan for educational excellence. The state board of education shall develop criteria to evaluate the need for the waiver. Granting of the waiver shall depend upon verification that: (a) The students' classroom instructional time will not be reduced; and (b) the teacher's expertise is critical to the success of the local plan for excellence.

NEW SECTION, Sec. 8. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW a new section to read as follows:

(1) The superintendent of public instruction shall establish an annual teacher excellence award program for teachers in diverse grades or subject areas. Not more than one award per educational service district may be granted in any school year.

(2) The awards shall include:

- (a) Certificates presented by the governor and the superintendent of public instruction at public ceremonies in appropriate locations;
- (b) Waiver of tuition and fees under section 9 of this act; and
- (c) A stipend not to exceed one thousand dollars to cover costs incurred in taking courses, which stipend shall not be considered compensation for the purposes of RCW 28A.58.095.

NEW SECTION. Sec. 9. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.15 RCW a new section to read as follows:

Teachers who have received a teacher excellence award under section 8 of this act shall have the tuition and fees waived at any state institution of higher education for eighteen quarter hours or twelve semester hours taken within three years after the award was received.

NEW SECTION. Sec. 10. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

School district boards of directors are encouraged to develop and implement incentives which recognize and encourage staff excellence. School districts may provide monetary incentives in the form of compensation to staff for additional work or assigned projects conducted in addition to a district's basic education program. Such compensation shall not be deemed an increase in salary or compensation for purposes of RCW 28A.58.095 nor shall such compensation be applied to the district's salary schedule or be provided in a manner which would increase the state's basic education funding obligation.

NEW SECTION. Sec. 11. (1) There is established for the 1984-85 school year a pilot program to permit up to one hundred fifty teachers who are assigned to supervise the field experience of student teachers to receive a stipend and up to three quarter hour credits or the equivalent at a state institution of higher education.

(2) The objective of the program is to: (a) Enhance the quality of teachers entering the profession through improved practical field experience; and (b) recognize the value of instruction provided by supervisory teachers.

(3) Each supervisory teacher shall assure that the student teacher receives practical teaching experience and direct supervision throughout the assignment.

(4) Each participating school or college of education shall provide training in supervisory skills for the supervisory teacher.

(5) School districts shall provide supervisory teachers with release time the district deems necessary to be able to supervise the student teachers.

(6) For the purposes of this section, "student teacher" means an individual who receives training experiences under supervision in school or school-related settings while participating in a teacher education program approved by the state board of education.

(7) The state board of education shall administer, coordinate, and evaluate the program and report back to the education committees of the house of representatives and the senate by September 15, 1985.

NEW SECTION. Sec. 12. The state board of education shall recommend a plan to establish a graduate level professional teacher preparation program for teacher certification. The plan shall be based on an analysis of the need for and design of: Explicit entry and exit competency criteria, which shall include testing and assessments of competency in various subject matters or in pedagogy including the ability to encourage students to learn and relate to others in a mutually respectful manner, or both; breadth and depth of subject matter; training and research relevant to teaching skills; extensive experience in local districts including internship, a portion of which may be paid; research on education; continued involvement of program units as defined by the state board of education; and other criteria as the board may determine appropriate. The state board shall also recommend enabling legislation and changes in certification needed to establish such program, provide data relative to costs, and recommend a process for certifying teachers who have been certified in another state. The state board of education shall submit to the legislature by December 1, 1984, recommendations for legislation required to implement such a graduate level professional teacher preparation program.

NEW SECTION. Sec. 13. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW a new section to read as follows:

After June 30, 1987, each applicant for initial certification shall have completed the necessary coursework and field training requirements, shall submit letters of evaluation from academic and field training supervisors, shall pass an examination or examinations that measure the applicant's subject area knowledge, and shall satisfy other procedures prescribed by the state board of education before receiving initial certification to teach or perform other professional duties in the schools of the state.

NEW SECTION. Sec. 14. The Washington state legislature intends to address the appropriate salary levels of teachers, for both current preparation standards and the increased professional preparation standards under section 12 of this act, to a level similar to persons in public and private occupations in this state holding positions requiring or imposing similar training, responsibilities, judgment, knowledge, skills, and working conditions. The superintendent of public instruction shall contract for a study to assist the legislature in a determination of those appropriate salary levels. The study shall compare teachers to public and private occupations

on both an hourly wage basis and on an annual salary basis. The study shall be completed and the results reported to the legislature and the temporary committee on educational policies, structure and management by January 1, 1985. The superintendent of public instruction shall also make available to the temporary committee on educational policies, structure and management, prior to the presentation of the final report, such data as may be developed in the compilation of the salary survey. The legislature is not obligated to implement any or all of the results contained in such study.

NEW SECTION. Sec. 15. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW a new section to read as follows:

The superintendent of public instruction shall adopt rules under chapter 34.04 RCW to equate credits for district in-service training with college credits for the purpose of salary allocation. Certificated employees may receive up to three additional education credits per year for advancement on the salary schedule for staff development courses taking place after September 1, 1985.

NEW SECTION. Sec. 16. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW a new section to read as follows:

Each school district shall design, and implement a staff development plan under the In-Service Training Act of 1977, RCW 28A.71.200 and 28A.71.210.

The plan shall be established prior to September 1, 1985, and shall provide for staff development training programs which are of professional benefit to employees. School districts shall review and approve staff development training courses. Courses shall be recognized by a school district if such courses:

(1) Enable employees to maintain or improve proficiency in their current or anticipated assignments; or

(2) Respond to an area of district-needed expertise.

NEW SECTION. Sec. 17. 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) Local districts shall assign secondary teachers holding initial level certificates to endorsed areas and levels only. Teachers holding initial level elementary endorsement shall be assigned to elementary grades only. Teachers holding continuing level certificates should be assigned to recommended areas and levels or to areas and levels in which they have demonstrated competency during professional service: PROVIDED, That teachers holding certificates endorsed for grades kindergarten through eight or seven through twelve may be assigned to junior high schools and middle schools: PROVIDED FURTHER, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize initially certificated teachers to serve at different grade levels or in different subject matter fields from those recommended: PROVIDED FURTHER, That when a certificated teacher is assigned outside his or her recommended areas or levels, or outside areas or levels where competence has been demonstrated, the school district shall provide training equivalent to that needed for endorsement in the new assignment and the district shall develop with each affected teacher a plan for this training, and the teacher may not continue teaching outside his or her recommended areas or levels for more than one year unless substantial progress has been made on this planned training.

(2) Assignments to serve in educational staff associate roles shall be limited to persons holding valid educational staff associate certificates with appropriate endorsements.

(3) Assignment of persons to serve as principals or vice principals shall be limited to persons holding valid administrator certificates with the appropriate endorsement or endorsements: PROVIDED, That principals holding certificates endorsed for grades kindergarten through eight or seven through twelve may be assigned to junior high schools and middle schools.

(4) School districts shall assign beginning teachers who hold provisional certificates to the elementary, junior high, or senior high school levels and to subject fields in accordance with the beginning teacher's qualifications. Such assignment shall obtain during the beginning teacher's first year of teaching: PROVIDED, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize beginning teachers to teach at different grade levels or in different subject matter fields from those recommended: PROVIDED FURTHER, That when a beginning teacher is assigned outside his or her areas or levels of qualification, the school district shall provide training equivalent to that needed for endorsement in the new assignment and the district shall develop with each affected teacher a plan for this training, and the teacher may not continue teaching outside his or her areas or levels of qualification for more than one year unless substantial progress has been made on this planned training.

Sec. 18. Section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284 are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of ~~((computers, computer components, computer accessories, or computer software))~~ tangible personal property irrevocably donated to and accepted by any public or private nonprofit school or ~~((college))~~ institution of higher education, as defined under chapter 84.36 RCW, in this state. ~~((For purposes of this section, "computer" means a data processor that can perform substantial computation, including numerous arithmetic or logic operations, without intervention by a human operator during the run.))~~

NEW SECTION. Sec. 19. Implementation of sections 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, and 16 of this act are each subject to funds being appropriated or available for such purpose or purposes.

NEW SECTION. Sec. 20. 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, after "education;" strike the remainder of the title and insert "amending section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140; amending section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW; and creating new sections."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Galloway, the House refused to concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1660, and asked the Senate to recede therefrom.

MOTION

On motion of Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

REENGROSSED SENATE BILL NO. 3044, by Senators Gaspard, Metcalf and Goltz

Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 52nd Day, February 29, 1984.)

Mr. Grimm moved adoption of the committee amendment.

Ms. Powers moved adoption of the following amendment by Representatives Powers, Johnson, Miller, Haugen and Broback to the committee amendment:

On page 1, after line 33 of the amendment strike all material down to and including "Washington." on page 2, line 4 and insert "(3) Active-duty military personnel of field grade or lower rank and the spouses and dependents of such military personnel for the first twelve months they are stationed in the state of Washington."

Representatives Powers, Broback, Johnson, Van Luven, Barnes, Miller and Cantu spoke in favor of the amendment to the amendment, and Representatives Rust, West, Sommers and Grimm spoke against it.

Representatives Powers, Broback and Barnes spoke again in favor of the amendment, and Representative West again opposed it.

Mr. Garrett demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Powers and others to the committee amendment to Engrossed Senate Bill No. 3044, and the amendment to the amendment was adopted by the following vote: Yeas, 74; nays, 24; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Broback, Brough, Burns, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Long, Lux, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Charnley, Crane, Ellis, Fisher, Grimm, Heck, Hine, Kreidler, Locke, McClure, Monohon, Nelson D, Niemi, Pruitt, Rust, Sommers, Van Luven, Vander Stoep, Walk, West - 24.

The committee amendment as amended was adopted. Engrossed Senate Bill No. 3044 as amended by the House was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1471, by Committee on Ways & Means (originally sponsored by Representatives Grimm, Hine and Sommers)

Providing a timber excise tax rate.

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

Representatives Halsan, Grimm, Tanner, Sommers, Stratton and Tilly spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1471, and the bill failed to pass the House by the following vote: Yeas, 0; nays, 98; excused, 0.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1471, having failed to receive the constitutional majority, was declared lost.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker announced the following conference committee appointments:

ESHB 1156: Representatives Grimm, Sommers and Cantu;

SHB 1246: Representatives Galloway, Appelwick and Betzoff;

SSB 3181: Representatives Crane, Dellwo and Lewis;

SSB 3194: Representatives Walk, Sutherland and Wilson;

ESSB 3415: Representatives Brekke, Kaiser and C. Smith;

SSB 4306: Representatives Niemi, Vekich and Hankins;

ESB 4309: Representatives Ellis, Locke and West;

SSB 4381: Representatives Pruitt, Fisher and Tilly;

ESSB 4435: Representatives Wang, Armstrong and Padden;

ESSB 4490: Representatives D. Nelson, Sutherland and Isaacson.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Mr. Heck, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 1471 failed to pass the House.

MOTION

On motion of Mr. Heck, the House adjourned until 9:00 a.m., Saturday, March 3, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, March 3, 1984

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except the Speaker, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Ryan McBrayer and Eric Hoffman. Prayer was offered by Representative Paul Pruitt from the United Church of Christ in Seattle.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1163, and the President has appointed as Senate Conferees: Senators Moore, Bender, Deccio.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 1386, and the President has appointed as Senate Conferees: Senators Talmadge, Newhouse, Hughes.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 1636, and the President has appointed as Senate Conferees: Senators Vognild, Bottiger, Newhouse.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3429, and the President has appointed as Senate Conferees: Senators Talmadge, Hemstad, Hughes, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills, and has passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 4111,

SUBSTITUTE SENATE BILL NO. 4362,

SENATE BILL NO. 4376,

SENATE BILL NO. 4401,

SUBSTITUTE SENATE BILL NO. 4419,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4430,

ENGROSSED SENATE BILL NO. 4432,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4443,

SUBSTITUTE SENATE BILL NO. 4477,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4484,

ENGROSSED SENATE BILL NO. 4500,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4560,

SUBSTITUTE SENATE BILL NO. 4628,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4647,
 SENATE BILL NO. 4650,
 SUBSTITUTE SENATE BILL NO. 4708,
 SUBSTITUTE SENATE BILL NO. 4711,
 SUBSTITTUTE SENATE BILL NO. 4730,

Bill Gleason, Assistant Secretary.

March 2, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 4338, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4343, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4403, and the President has named the following Senate conferees: Senators McDermott, Sellar, Talmadge, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 4445, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SENATE BILL NO. 4532, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 2, 1984

Mr. Speaker:

The Senate receded from its amendment to SUBSTITUTE HOUSE BILL NO. 1178 on page 4, line 17, relating to Senate Bill No. 3838, and passed the bill with the remaining amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENT

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1178 without the Senate amendment to page 4, line 17.

Mr. Heck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1178 without the Senate amendment to page 4, line 17, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 97.

Excused: Mr. Speaker - 1.

Substitute House Bill No. 1178 without certain House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate has receded from its amendment to SUBSTITUTE HOUSE BILL NO. 1262 on page 8, line 11, and has passed the bill without the amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENT

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1262 without the Senate amendment to page 8, line 11.

POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Tilly.

Mr. Tilly: "Representative King, does the language authorizing funds for CERB, 'and those projects which substantially support the trading of goods and services outside of the state's borders' preclude the use of CERB funds for tourism destination facilities?"

Mr. J. King: "No, Representative Tilly, the language referring to projects which support the trading of goods and services outside the state's borders would allow for CERB funding of infra structure improvements when it can be demonstrated that the primary purpose of the private sector development and expansion is to draw substantial business revenues from outside the state's borders. This is true even though the actual services are provided within the state. The tourism destination facility would qualify if it demonstrated that the facility would bring new revenues into the state from outside its borders."

Mr. Tilly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1262 without the Senate amendment to page 8, line 11, and the bill passed the House by the following vote: Yeas, 94; nays, 2; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Voting nay: Representatives Fuhrman, Padden - 2.

Absent: Representative King P - 1.

Excused: Mr. Speaker - 1.

Substitute House Bill No. 1262 without certain House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I would have voted "Yes" on Substitute House Bill No. 1262, but I was detained in the hallway.

PAUL KING, 44th District.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193, and the President has appointed as Senate Conferees: Senators Hughes, Talmadge, Lee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4831, by Committee on Ways & Means (originally sponsored by Senators Talmadge, Kiskaddon, Hughes, Bluechel, Rasmussen, Williams, Pullen, Wojahn, Goltz, Bender, Hurley, Hemstad, Fuller and Zimmerman)

Establishing a program for disclosure of information regarding hazardous substances in the workplace.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendment, see Journal, 51st Day, February 28, 1984)

Ms. Rust moved adoption of the committee amendment.

Mr. Hastings moved adoption of the following amendment to the committee amendment:

On page 1, strike lines 14 through 18 and insert "hazardous substances pose a threat to the public health, safety, and welfare; that the number and"

Mr. Hastings spoke in favor of the amendment to the amendment, and Ms. Rust spoke against it.

The amendment was not adopted.

Mr. Hastings moved adoption of the following amendment to the committee amendment:

On page 2, line 32 following "that" insert "while these substances have contributed to the high quality of life we enjoy in our state."

Mr. Hastings spoke in favor of the amendment, and Ms. Rust spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to page 2, line 32 of the committee amendment to Engrossed Second Substitute Senate bill No. 4831, and the amendment to the amendment was not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Sloep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang - 49.

Excused: Mr. Speaker - 1.

Mr. Kaiser moved adoption of the following amendment to the committee amendment:

On page 5, line 6 after "chapter" strike "67.16 RCW." and insert "67.16 RCW;

(g) any person employed as an agricultural laborer by a single agricultural employer who has less than four employees employed forty or more hours a week in such employment."

Representatives Kaiser, Dickie, C. Smith, Chandler, Fuhrman, Nealey and Isaacson spoke in favor of the amendment to the amendment, and Representatives Rust, Pruitt, Lux, Sommers and Charnley spoke against it.

Mr. Chandler spoke again in favor of the amendment.

Mr. Garrett demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kaiser to the committee amendment to Engrossed Second Substitute Senate Bill No. 4831, and the amendment to the amendment was adopted by the following vote: Yeas, 58; nays, 39; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Ellis, Fiske, Fuhrman, Grimm, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 58.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, Monohon, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Tanner, Van Dyken, Vekich, Wang - 39.

Excused: Mr. Speaker - 1.

MOTION FOR RECONSIDERATION

Mr. D. Nelson, having voted on the prevailing side, moved that the House now reconsider the vote by which the Kaiser amendment to the committee amendment was adopted.

Mr. D. Nelson spoke in favor of the motion, and Representatives Kaiser and Isaacson spoke against it.

Mr. D. Nelson spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Kaiser amendment to the committee amendment to Engrossed Second Substitute Senate Bill No. 4831 was adopted, and the motion was lost by the following vote: Yeas, 33; nays, 64; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Dellwo, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Hine, Jacobsen, King J, King R, Kreidler, Locke, Lux, Moon, Nelson D, Niemi, O'Brien, Powers, Rust, Sayan, Scott, Sommers, Sutherland, Vekich, Wang - 33.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fiske, Fuhrman, Grimm, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, King P, Lewis, Long, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 64.

Excused: Mr. Speaker - 1.

Mr. Nealey moved adoption of the following amendment to the committee amendment:

On page 5, line 34 after "organizations" insert "but does not include agriculture, including businesses directly affecting agriculture such as crop dusting, spraying, seed treating, storage, transportation, marketing and processing"

Representatives Nealey, Fuhrman and Struthers spoke in favor of the amendment to the amendment, and Representatives Rust, Patrick, R. King and Kaiser spoke against it.

POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative King, you produced some statistics relative to records of injury and so forth. Do those numbers include actual injury or were those limited to illness-type problems?"

Mr. R. King: "The numbers related to 'chemical-source illness incident rate.' Under our law, until the bill we just passed goes into effect, illnesses are considered to be injuries. I don't know how to answer your question, but these were enough to be measurable."

Representative Nealey spoke again in favor of the amendment to the amendment.

Mr. Chandler spoke in favor of the amendment to the committee amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nealey to the committee amendment to Engrossed Second Substitute Senate bill No. 4831, and the amendment was not adopted by the following vote: Yeas, 28; nays, 68; absent, 1; excused, 1.

Voting yea: Representatives Ballard, Barrett, Betzoff, Bond, Broback, Chandler, Dickie, Egger, Ellis, Fuhrman, Hankins, Hastings, Isaacson, Johnson, Lewis, Nealey, Padden, Prince, Schoon, Silver, Smith C, Stratton, Struthers, Tilly, West, Williams B, Williams J, Wilson - 28.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Zellinsky - 68.

Absent: Representative Clayton - 1.

Excused: Mr. Speaker - 1.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Ms. L. Smith moved that the House now reconsider the vote by which the amendment by Representative Hastings to page 2, line 32 of the committee amendment, was not adopted.

Ms. L. Smith spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Hastings amendment to page 2, line 32 of the committee amendment to Engrossed Second Substitute Senate bill No. 4831 was not adopted, and the motion was carried by the following vote: Yeas, 49; nays, 48; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 49.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang - 48.

Excused: Mr. Speaker - 1.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment by Representative Hastings to page 2, line 32 of the committee amendment.

ROLL CALL

The Clerk called the roll on reconsideration of the amendment to page 2, line 32 of the committee amendment to Engrossed Second Substitute Senate Bill No.

4831, and the amendment was adopted by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 50.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang - 47.

Excused: Mr. Speaker - 1.

Mr. Van Dyken moved adoption of the following amendment to the committee amendment:

On page 10, line 21 strike "under section 23 of this act" and insert "by rule adopted in accordance with chapter 34.04 RCW necessary to remain consistent with the requirements for material safety data sheets in accordance with United States Occupational Safety and Health Administration regulations. The department may not require more information than the Occupational Safety and Health Administration."

Representatives Van Dyken, Patrick and C. Smith spoke in favor of the amendment to the committee amendment, and Representatives Rust and Lux spoke against it.

Mr. Van Dyken spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to the committee amendment to Engrossed Second Substitute Senate Bill No. 4831, and the amendment to the amendment was adopted by the following vote: Yeas, 49; nays, 48; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 49.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang - 48.

Excused: Mr. Speaker - 1.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 3:00 p.m.

AFTERNOON SESSION

The House was called to order at 3:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Wilson, who was excused.

MESSAGES FROM THE SENATE

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1246, and the President has appointed as Senate conferees: Senators, Gaspard, Bauer, Lee.

Bill Gleason, Assistant Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3181 and the President has appointed as Senate conferees: Senators Talmadge, Hughes, Hemstad, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3194 and the President has appointed as Senate conferees: Senators Peterson, Hansen, Patterson, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3415, and the President has appointed as Senate conferees: Senators Hansen, Hughes, Barr, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 4306, and the President has appointed as Senate conferees: Senators Warnke, Zimmerman, Rinehart, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 4309, and the President has appointed as Senate conferees: Senators Talmadge, Hughes, Hemstad, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 4381, and the President has appointed as Senate conferees: Senators Talmadge, Fleming, Hemstad, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4435, and the President has appointed as Senate conferees: Senators Talmadge, Shipoch, Clarke, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, and the President has appointed as Senate conferees: Senators Williams, McDermott, Hemstad, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills, and has passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 3827.

SUBSTITUTE SENATE BILL NO. 4579,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4653,
 Bill Gleason, Assistant Secretary.

March 3, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4111,
 SENATE BILL NO. 4338,
 SUBSTITUTE SENATE BILL NO. 4343,
 SUBSTITUTE SENATE BILL NO. 4362,
 SENATE BILL NO. 4376,
 SENATE BILL NO. 4401,
 SUBSTITUTE SENATE BILL NO. 4419,
 SUBSTITUTE SENATE BILL NO. 4430,
 SENATE BILL NO. 4432,
 SUBSTITUTE SENATE BILL NO. 4443,
 SENATE BILL NO. 4445,
 SUBSTITUTE SENATE BILL NO. 4477,
 SUBSTITUTE SENATE BILL NO. 4484,
 SENATE BILL NO. 4500,
 SENATE BILL NO. 4532,
 SUBSTITUTE SENATE BILL NO. 4541,
 SUBSTITUTE SENATE BILL NO. 4560,
 SUBSTITUTE SENATE BILL NO. 4628,
 SUBSTITUTE SENATE BILL NO. 4647,
 SENATE BILL NO. 4650,
 SUBSTITUTE SENATE BILL NO. 4708,
 SUBSTITUTE SENATE BILL NO. 4711,
 SUBSTITUTE SENATE BILL NO. 4730,
 SUBSTITUTE SENATE BILL NO. 4794,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 85,
 SUBSTITUTE HOUSE BILL NO. 255,
 SUBSTITUTE HOUSE BILL NO. 271,
 HOUSE BILL NO. 706,
 SUBSTITUTE HOUSE BILL NO. 914,
 SUBSTITUTE HOUSE BILL NO. 1106,
 SUBSTITUTE HOUSE BILL NO. 1123,
 SUBSTITUTE HOUSE BILL NO. 1124,
 HOUSE BILL NO. 1149,
 HOUSE BILL NO. 1159,
 SECOND SUBSTITUTE HOUSE BILL NO. 1174,
 SUBSTITUTE HOUSE BILL NO. 1187,
 SUBSTITUTE HOUSE BILL NO. 1191,
 HOUSE BILL NO. 1218,
 SUBSTITUTE HOUSE BILL NO. 1247,
 SUBSTITUTE HOUSE BILL NO. 1279,
 HOUSE BILL NO. 1378,
 SUBSTITUTE HOUSE BILL NO. 1438,
 SUBSTITUTE HOUSE BILL NO. 1514,
 HOUSE BILL NO. 1526,
 SUBSTITUTE HOUSE BILL NO. 1548,
 SUBSTITUTE HOUSE BILL NO. 1564,
 SUBSTITUTE HOUSE BILL NO. 1627,
 HOUSE BILL NO. 1649,
 HOUSE JOINT MEMORIAL NO. 37,
 SUBSTITUTE SENATE BILL NO. 4111,

SENATE BILL NO. 4338,
 SUBSTITUTE SENATE BILL NO. 4343,
 SUBSTITUTE SENATE BILL NO. 4362,
 SENATE BILL NO. 4376,
 SENATE BILL NO. 4401,
 SUBSTITUTE SENATE BILL NO. 4419,
 SUBSTITUTE SENATE BILL NO. 4430,
 SENATE BILL NO. 4432,
 SUBSTITUTE SENATE BILL NO. 4443,
 SENATE BILL NO. 4445,
 SUBSTITUTE SENATE BILL NO. 4477,
 SUBSTITUTE SENATE BILL NO. 4484,
 SENATE BILL NO. 4500,
 SENATE BILL NO. 4532,
 SUBSTITUTE SENATE BILL NO. 4541,
 SUBSTITUTE SENATE BILL NO. 4560,
 SUBSTITUTE SENATE BILL NO. 4628,
 SUBSTITUTE SENATE BILL NO. 4647,
 SENATE BILL NO. 4650,
 SUBSTITUTE SENATE BILL NO. 4708,
 SUBSTITUTE SENATE BILL NO. 4711,
 SUBSTITUTE SENATE BILL NO. 4730,
 SUBSTITUTE SENATE BILL NO. 4794.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 689, and once again asks the House to concur therewith, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. J. King, the House insisted on its position on Second Substitute House Bill No. 689, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate insists on its position on ENGROSSED HOUSE JOINT MEMORIAL NO. 16, and the Senate amendment thereto, and once again asks the House to concur therewith, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Pruitt moved that the House recede from its position and concur in the Senate amendment to Engrossed House Joint Memorial No. 16.

Representatives Pruitt and Miller spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE JOINT MEMORIAL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Joint Memorial No. 16 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 16 as amended by the Senate, and the memorial passed the House by the following vote: Yeas, 95; nays, 0; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman,

Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Bond, King R - 2.

Excused: Representative Wilson - 1.

Engrossed House Joint Memorial No. 16 as amended by the Senate, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 4407, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Monohon, the House insisted on its position on Engrossed Senate Bill No. 4407, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 4448 was ruled beyond the scope and object of the bill, and the Senate asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kreidler, the House insisted on its position on Engrossed Substitute Senate Bill No. 4448, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 4619, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Moon, the House insisted on its position on Senate Bill No. 4619, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate has receded from its amendments to HOUSE BILL NO. 880 on page 1, line 10 and page 1, line 13, and asks for a conference on the remaining Senate amendment to page 1, line 12, and the President has appointed as Senate conferees: Senators Bender, Moore, Sellar, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Kreidler, the House granted the request of the Senate for a conference on House Bill No. 880.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 939, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 2, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 939, modifying modification and enforcement procedures used by municipalities regarding uninhabitable dwellings, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Thompson, Bauer, Barr; Representatives Moon, Appelwick, Van Dyken.

MOTION

On motion of Mr. Moon, the House adopted the Conference Committee Report on House Bill No. 939, and granted the committee the powers of Free Conference.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1163, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 2, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1163, modifying the laws relating to consumer credit transactions, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Bender, Deccio, Moore; Representatives Lux, Schmidt, Zellinsky.

MOTION

On motion of Mr. Lux, the House adopted the Conference Committee Report on Substitute House Bill No. 1163, and granted the committee the powers of Free Conference.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The Senate has receded from section 7 of the amendment to SUBSTITUTE HOUSE BILL NO. 843 and the title amendment thereto, and once again asks the House to concur in the Senate amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Monohon, the House refused to concur in the Senate amendment to Substitute House Bill No. 843, and again asked the Senate to recede therefrom.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4831, by Committee on Ways & Means (originally sponsored by Senators Talmadge, Kiskaddon, Hughes, Bluechel, Rasmussen, Williams, Pullen, Wojahn, Goltz, Bender, Hurley, Hemstad, Fuller and Zimmerman)

Establishing a program for disclosure of information regarding hazardous substances in the workplace.

The House resumed consideration of the bill on second reading.

On motion of Mr. Van Dyken, the following amendment by Representatives Van Dyken and Dellwo to the committee amendment was adopted:

On page 17, line 31 strike "14" and insert "13"

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 22 of the amendment, after line 30, insert the following:

"Sec. 10. Section 31, chapter 1, Laws of 1973 as last amended by section 10, chapter 133, Laws of 1983 and RCW 42.17.310 are each amended to read as follows:

(1) The following are exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to the taxpayer.

(d) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: PROVIDED, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: PROVIDED, FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(l) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(m) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070.

(2) The exemptions of this section are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests or reveal trade secrets, can be deleted from the specific records sought. No exemption may be construed to

permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records exempt under the provisions of this section may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records is clearly unnecessary to protect trade secrets or any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

(5) Hazardous substance trade secret information is exempt from public inspection and copying while a trade secret claim is under review in accordance with section 9 of this 1984 act and after the trade secret claim is determined valid except to the extent such information must be disclosed for emergency medical purposes pursuant to section 9(2) of this 1984 act. Process or percentage of mixture information which is a trade secret shall not be disclosed under any circumstances.

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

Representatives Tilly, Ballard and Isaacson spoke in favor of the amendment to the amendment, and Representatives Brekke and Rust spoke against it.

Mr. Tilly spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the committee amendment to Engrossed Second Substitute Senate Bill No. 4831, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luvan, Vander Stoep, West, Williams B, Williams J - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Wilson - 1.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Patrick and Dellwo to the committee amendment:

On page 23, line 13 after "workplace" insert ", unless the department determines that updating the workplace survey less frequently would accomplish the purposes of this act"

Representatives Van Dyken and Dellwo spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Pruitt and Patrick to the committee amendment:

On page 26, line 36 after "programs." insert "The department shall develop rules in accordance with chapter 34.04 RCW which:

- (1) outline the kinds and extent of assistance the department will provide,
- (2) outline the delivery mechanism for such assistance,
- (3) state the procedures a requester must follow to obtain the assistance,
- (4) give consideration to the various circumstances and occupational settings which may prompt requests for assistance, and
- (5) provide procedures for granting extensions for deadlines for employers requiring assistance."

Mr. Van Dyken spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. R. King.

Mr. R. King: "Representative Van Dyken, does your amendment in any way imply a conditioning of compliance with the act upon assistance from the department? Does it waive the obligations of businesses under the law dependent upon whether or not they receive assistance?"

Mr. Van Dyken: "Representative King, the intent is to assure that employers will receive some type of assistance if they need it. The type of assistance will be as defined by the department. The amendment specifically directs the department in those instances where they cannot, due to time requirements, grant assistance to grant an extension. It is the intent of the bill, and it is my intention in working on this bill, that employers would have to comply with the provisions but there should be adequate time and understanding for the department to provide assistance. It is not designed in any way to be a loophole or to avoid compliance with the act. It's simply a provision for assistance, and once that assistance is provided, the employer would have to comply with the act."

Representative R. King spoke against the amendment to the committee amendment, and Representatives Pruitt and Patrick spoke in favor of it.

The amendment to the amendment was adopted.

Mr. Lewis moved adoption of the following amendment to the committee amendment:

On page 26, line 30 after "employed," insert "The department may develop rules in accordance with chapter 34.04 RCW for less restrictive methods of providing training and education programs for short-term employees to be practical under the circumstances but which, in the opinion of the director, achieve the goal of informing those workers about the existence of potential chemical hazards in their workplace and the measures they may take to minimize the potential adverse health effects."

Representatives Lewis and Dickie spoke in favor of the amendment to the amendment, and Ms. Rust spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lewis to the committee amendment to Engrossed Second Substitute Senate Bill No. 4831, and the amendment to the amendment was adopted by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Grimm, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King P. Lewis, Long, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Walk, West, Williams B, Williams J - 51.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 46.

Excused: Representative Wilson - 1.

Mr. Hastings moved adoption of the following amendment to the committee amendment:

On page 31, line 33 after "of a" insert "constitutional"

Mr. Hastings spoke in favor of the amendment to the committee amendment, and Ms. Rust spoke against it.

Mr. Hastings spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to page 31 of the committee amendment to Engrossed Second Substitute Senate Bill No. 4831, and the amendment to the amendment was not adopted by the following vote:

Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, Mitchell, Nealey, Nelson G. Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L., Smitherman, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Rust, Sayan, Scott, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 49.

Excused: Representative Wilson - 1.

Ms. Brough moved adoption of the following amendment by Representatives Brough and Van Dyken to the committee amendment:

On page 34, line 2 strike "person" and insert "employee or person entitled to information in accordance with section 8(1) of this act"

Representatives Brough, Van Dyken and Patrick spoke in favor of the amendment to the amendment, and Mr. Dellwo spoke against it.

The amendment was not adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Patrick to the committee amendment:

On page 34, line 6 strike "for a violation of a provision" and insert "to compel compliance with the provisions"

Mr. Van Dyken spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Dellwo yielded to question by Mr. McMullen.

Mr. McMullen: "Representative Dellwo, is the effect of this amendment to restrict present right to sue for damages or is this merely to create new rights to sue for compliance with this chapter?"

Mr. Dellwo: "The only purpose of this act is to create a cause of action in order to compel compliance with the provisions of this chapter. It doesn't eliminate any common law or statutory cause of action as they exist today."

The amendment to the amendment was adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Dellwo to the committee amendment:

On page 34, line 8 after "chapter" insert "subject to the provisions of Title 51 RCW"

Representatives Van Dyken and Dellwo spoke in favor of the amendment and it was adopted.

Engrossed Second Substitute Senate Bill No. 4831 as amended by the House was passed to Committee on Rules for third reading.

MESSAGE FROM THE SENATE

March 3, 1984

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO.	85.
SUBSTITUTE HOUSE BILL NO.	255.
SUBSTITUTE HOUSE BILL NO.	271.
HOUSE BILL NO.	706.
SUBSTITUTE HOUSE BILL NO.	914.
SUBSTITUTE HOUSE BILL NO.	1106.
SUBSTITUTE HOUSE BILL NO.	1123.
SUBSTITUTE HOUSE BILL NO.	1124.
HOUSE BILL NO.	1149.
HOUSE BILL NO.	1159.
SECOND SUBSTITUTE HOUSE BILL NO.	1174.
SUBSTITUTE HOUSE BILL NO.	1187.

SUBSTITUTE HOUSE BILL NO. 1191,
 HOUSE BILL NO. 1218,
 SUBSTITUTE HOUSE BILL NO. 1247,
 SUBSTITUTE HOUSE BILL NO. 1279,
 HOUSE BILL NO. 1378,
 SUBSTITUTE HOUSE BILL NO. 1438,
 SUBSTITUTE HOUSE BILL NO. 1514,
 HOUSE BILL NO. 1526,
 SUBSTITUTE HOUSE BILL NO. 1548,
 SUBSTITUTE HOUSE BILL NO. 1564,
 SUBSTITUTE HOUSE BILL NO. 1627,
 HOUSE BILL NO. 1649,
 HOUSE JOINT MEMORIAL NO. 37,
 SUBSTITUTE SENATE BILL NO. 3827,
 SUBSTITUTE SENATE BILL NO. 4579,
 SUBSTITUTE SENATE BILL NO. 4653,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1157 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A supplemental capital budget is hereby adopted and, subject to the provisions set forth in this 1984 act and in chapter 57, Laws of 1983 1st ex. sess., the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1985, out of the several funds specified in this act.

NEW SECTION. Sec. 2. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To conduct necessary land and boundary surveys at McNeil Island.

	Reappropriation	Appropriation
CEP & RI Acct		175,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		175,000

NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for domestic water system and roof repairs at the Northern State Multi-service Center.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,065,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,065,000

NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for OB-II fire damage repairs, replacements and operating expense reimbursement: PROVIDED, That \$1,871,000 of the amount appropriated be utilized for building repair and \$726,482 be utilized for office equipment replacement and DSHS operating expense reimbursement: PROVIDED FURTHER, That \$884,832 of the amount appropriated be used for repairs and fire safety retrofits to Office Building 2, as necessary to correct hazardous building characteristics identified by the City of Olympia and the OB-2 Fire Task Force.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		3,482,314
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,482,314

NEW SECTION. Sec. 5. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Reimbursement of capital appropriations used for OB-II emergency clean-up and first and third floor repairs.

GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project	Estimated	1,687,000
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		1,687,000

NEW SECTION, Sec. 6. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
To conduct a structural inspection of the Temple of Justice.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation
Project	Estimated	15,000
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		15,000

Sec. 7. Section 202, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

(1) Construct and equip facilities for the care, training, and rehabilitation of persons with sensory, physical or mental handicaps (Referendum 37-Phase III).

(2) Approve, construct, and equip facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps involving twenty projects and totaling \$2,645,000. The moneys allocated in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1983, and approved by March 31, 1984 (Referendum 37-Phase IV).

(3) Approve, construct, and equip facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps including as many of the following nine projects as are finally recommended by the Department of Social and Health Services and totaling no more than \$587,931.

(a) For Cowlitz County to purchase equipment to expand a vocational rehabilitation program for chronically mentally ill adults to increase their ability to function in a living, learning, and working environment: \$13,347.

(b) For Cowlitz County to purchase equipment to expand the number of maintenance and janitorial jobs and income producing contracts available to developmentally disabled adults: \$7,813.

(c) For Grays Harbor County to construct an addition and purchase equipment to expand vocational training and employment opportunities for developmentally disabled adults: \$308,607.

(d) For Spokane County to make specified improvements at the community center previously funded by Referendum 37 to permit increased use by blind and deaf clients: \$1,585.

(e) For Spokane County to construct a building to permit training, recreation, and treatment of ten psychiatrically ill children, housed in a residential facility previously funded by Referendum 37: \$140,129.

(f) For Walla Walla County to renovate a training center to improve programming for and productivity of developmentally disabled adults: \$20,026.

(g) For Whatcom County to construct a storage building and make certain improvements to an existing workshop already funded by Referendum 37 to enhance services to developmentally disabled adults: \$39,124.

(h) For Yakima County to purchase a module to serve as a diagnostic and day treatment facility for seriously mentally ill children and their families: \$27,531.

(i) For Yakima County to purchase microfilming equipment to train and employ developmentally disabled adults: \$29,769.

The moneys authorized in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1984, and approved by March 31, 1985 (Referendum 37 Phase V).

GF, Hndcp Fac Constr Acct	Reappropriation	Appropriation
Project	12,057,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
12,943,000		25,000,000

Sec. 8. Section 208, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Renovation, repair, and construction related to small projects.

GF, DSHS Constr Acct	Reappropriation	Appropriation
		((2,637,600))
		<u>2,801,200</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		((2,637,600))
		<u>2,801,200</u>

NEW SECTION, Sec. 9. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)
Fire safety improvements—State-wide.

GF, DSHS Constr Acct	Reappropriation	Appropriation
		1,500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,500,000

NEW SECTION, Sec. 10. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

For kitchen renovation and correct security safety hazards—Mission Creek Youth Camp.

GF, DSHS Constr Acct	Reappropriation	Appropriation
		60,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		60,000

Sec. 11. Section 216, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES

Renovate and equip the main building, Phase III—Yakima Valley School.

GF, DSHS Constr Acct	Reappropriation	Appropriation
	83,700	<u>6,031,500</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
((7,002,300))	((6,276,100))	((14,242,100))
<u>7,721,700</u>	<u>3,295,300</u>	<u>17,132,200</u>

NEW SECTION, Sec. 12. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES

Plan and design a therapy pool—Interlake School, Medical Lake.

GF, DSHS Constr Acct	Reappropriation	Appropriation
		60,000
Project	Estimated	Estimated
Costs	Costs	Total
through	7/1/85 and	Costs
6/30/83	Thereafter	
	690,000	750,000

Sec. 13. Section 221, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

((Repair cottages)) For critical interim repairs, design of cottage replacement and preparation of facility plan—Child Study and Treatment Center—Western State Hospital campus.

GF, DSHS Constr Acct	Reappropriation	Appropriation
		245,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		245,000

Sec. 14. Section 226, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Renovate wards—Eastern State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		((502,300))
		<u>3,293,900</u>
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
	((10,791,600))	11,293,900
	<u>8,000,000</u>	

Sec. 15. Section 227, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH
Renovate wards—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		((377,100))
		<u>4,004,700</u>
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
	((16,096,000))	16,473,900
	<u>12,469,200</u>	

NEW SECTION. Sec. 16. FOR THE DEPARTMENT OF CORRECTIONS

Design and construct co-located housing units providing approximately three hundred beds—State Penitentiary, Walla Walla.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		11,600,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		11,600,000

Sec. 17. Section 229, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Renovate heating and ventilation system and replace electrical cable and generator—McNeil Island.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	395,000	
<u>GF, CEP & RI Acct</u>		<u>2,415,000</u>
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
105,000		((500,000))
		<u>2,915,000</u>

Sec. 18. Section 231, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Repair facilities and utilities—McNeil Island.

	Reappropriation	Appropriation
<u>GF, CEP & RI Acct</u>	335,000	
<u>GF, DSHS Constr Acct</u>	((1,000,000))	
	<u>665,000</u>	
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
1,667,406		2,667,406

Sec. 19. Section 230, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Construct 500-bed medium security corrections center on the grounds of the Monroe Reformatory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	((12,970,000))	
	<u>13,667,000</u>	

Project Costs Through 6/30/83 ((20,892,300)) <u>20,195,300</u>	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 33,862,300
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Sec. 20. Section 243, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Replace old, small-capacity passenger ferry boat with larger-capacity boat—McNeil Island; PROVIDED, That the department of corrections and department of general administration shall evaluate the financial and scheduling feasibility of acquiring a locally-built vessel.

GF, State Bldg Constr Acct	Reappropriation	Appropriation ((335,000)) <u>485,000</u>
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs ((335,000)) <u>485,000</u>

Sec. 21. Section 235, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Provide facilities for 600 additional inmates—Washington Corrections Center, Shelton.

GF, State Bldg Constr Acct	Reappropriation	Appropriation ((18,510,000)) <u>21,773,758</u>
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs ((18,510,000)) <u>21,773,758</u>

NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF CORRECTIONS

Design, construct, and equip a one hundred twenty-four bed intensive management unit at the Monroe Reformatory.

GF, State Bldg Constr Acct	Reappropriation	Appropriation 7,100,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 7,100,000

NEW SECTION. Sec. 23. FOR THE DEPARTMENT OF VETERANS AFFAIRS

To provide payment for the assessment against the Washington Veterans Home at Retsil by Utility Local Improvement District No. 1 for expanded sewage treatment facilities, including interest.

GF, CEP & RI Acct	Reappropriation	Appropriation 358,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 358,000

NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF VETERANS' AFFAIRS

Design funds for a one hundred bed skilled nursing facility in Walla Walla.

GF, DEP & RI acct	Reappropriation	Appropriation 203,500
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 2,500,000

NEW SECTION. Sec. 25. FOR THE DEPARTMENT OF NATURAL RESOURCES

To acquire fragile and endangered natural lands for conservancy.

GF, ORA—State	Reappropriation	Appropriation 2,000,000
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Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
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2,000,000

NEW SECTION. Sec. 26. FOR THE STATE PARKS AND RECREATION COMMISSION

To replace county park facilities destroyed by the Mount St. Helens eruption and relocate them in Sequest State Park.

GF. ORA—State General Fund, Federal	Reappropriation	Appropriation
		285,000
		530,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		815,000

NEW SECTION. Sec. 27. FOR THE STATE PARKS AND RECREATION COMMISSION

Appraise and acquire land for a state park—Little Spokane.

GF. ORA—State GF. ORA—Federal	Reappropriation	Appropriation
		550,000
		550,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		1,100,000

Sec. 28. Section 511, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

To construct a one-half acre adult salmon holding pond, including a fishway system from the Lewis River, and spawning and rearing pens.

GF. Fish Cap Proj Acct	Reappropriation	Appropriation
	((370,000))	
	<u>64,000</u>	
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
69,500		((439,500))
		<u>133,500</u>

Sec. 29. Section 517, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

To replace a portion of the Hurd Creek ponds main water supply line.

GF. Fish Cap Proj Acct	Reappropriation	Appropriation
	((177,300))	
	<u>300</u>	
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
1,200		((178,500))
		<u>1,500</u>

NEW SECTION. Sec. 30. FOR THE DEPARTMENT OF FISHERIES

To renovate adult holding ponds—Nooksak and Samish hatcheries.

GF. Fish Cap Proj Acct	Reappropriation	Appropriation
		483,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		483,000

Sec. 31. Section 635, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GAME

Construct public access facilities—I-82, Yakima County.

GF. ORA—State	Reappropriation	Appropriation
		((206,500))

GF. ORA—Federal		185,500 ((206,500)) 185,500
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs ((413,000)) 371,000

NEW SECTION. Sec. 32. FOR THE UNIVERSITY OF WASHINGTON
Remodel existing space to house operations of the Washington Technology Center.

GF. St H Ed Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		570,000
			Estimated Total Costs 570,000

NEW SECTION. Sec. 33. FOR THE UNIVERSITY OF WASHINGTON

The state finance committee is authorized and requested to lend to the University Building Account such amounts at such times as may be necessary to support appropriations heretofore made from that account: PROVIDED, That said amounts loaned shall not exceed \$1,900,000, and such loans shall be repaid as directed by the Forty-Ninth Legislature in 1985.

NEW SECTION. Sec. 34. FOR WASHINGTON STATE UNIVERSITY

Food processing pilot plant and human nutrition lab—Planning through working drawings: PROVIDED, That part of the planning effort by the university shall include the identification of industries which will benefit from the programs that will be affected by the project, and to what extent matching funds may be generated to support such programs from the benefited industries. The university shall report the results to the ways and means committees of the house and senate by December 1, 1984: PROVIDED FURTHER, That \$184,000 of the amount appropriated by section 822, Laws of 1983 1st ex. sess. to design a new facility for the department of chemistry, the energy institute and the biological chemistry institute shall revert to the Washington State University Building Account.

GF. WSU Bldg Acct		Reappropriation	Appropriation
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		772,000
	12,496,000		Estimated Total Costs 13,268,000

Sec. 35. Section 829, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

~~((Complete the))~~ Design, renovation, and equipping of the manual arts building and Sutton Hall and mothballing of Sutton Hall.

GF. H Ed Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	((4,701,000)) 2,528,000	
450,000			Estimated Total Costs ((5,231,000)) 2,978,000

NEW SECTION. Sec. 36. FOR EASTERN WASHINGTON UNIVERSITY

(1) Payment of Farm Credit Bank Building, Spokane, remodeling contract: PROVIDED, That no renovation contracts be signed after January 1, 1984.

GF. EWU Cap Proj Acct		Reappropriation	Appropriation
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter		176,700
			Estimated Total Costs 176,700

(2) Acquisition of Farm Credit Bank Building, Spokane, to house existing Spokane area programs: PROVIDED, That no new remodeling or improvements related to program improvements above those required for programs as of the end of spring quarter 1983 shall be undertaken unless notice is provided to the ways and means committees of the house of representatives and senate and the office of financial management approves the project.

	Reappropriation	Appropriation
GF, H Ed Constr Acct		2,253,000
GF, EWU Cap Proj Act		822,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,075,000

Sec. 37. Section 833, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY
Handicap access.

	Reappropriation	Appropriation
	((50,000))	<u>50,000</u>
GF, EWU Cap Proj Act	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through	Thereafter	
6/30/83		50,000

NEW SECTION. Sec. 38. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
Design and installation of heating system—Clark College.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		4,715,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
120,000		4,835,500

Sec. 39. Section 873, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGES
Code requirement repairs at Bellevue and Centralia Community College.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		57,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		57,000

Sec. 40. Section 874, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGES
Heat system repairs at Clark College.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		396,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		396,000

NEW SECTION. Sec. 41. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
To provide for emergency repair projects to six campuses: Lower Columbia, Seattle Central, Shoreline (2), Spokane Falls, and Yakima Valley.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		1,246,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,246,800

NEW SECTION. Sec. 42. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

To provide for design and construction of a facility on Clark College campus: PROVIDED. That priority be given to the Evergreen State College's off-campus program in the use of the facility.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		1,500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,500,000

NEW SECTION. Sec. 43. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
For the purchase of relocatables on the Edmonds Community College campus.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		162,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		162,000

NEW SECTION. Sec. 44. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
To design core facility for Whatcom Community College, to include working drawings.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		220,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	3,934,700	4,157,700

Sec. 45. Section 17, chapter 143, Laws of 1981 as amended by section 110, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

(1) Prepare sites for commercial leases and land development projects.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	2,541,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
965,000	1,578,000	5,084,000

(2) Provide equipment repair and vehicle storage facility, Clearwater Correction Center Annex.

	Reappropriation	Appropriation
GF, CEP & RI Acct	268,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
268,300		536,300

(3) Construct roads and bridges to state land, Cavanaugh Block Access.

	Reappropriation	Appropriation
GF, For Dev Acct	450,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
25,000		475,000

(4) Develop irrigation for state land, Black Rock Project.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	206,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
84,000		290,000

(5) Improve road for timber sales activities, Elbe Hills Betterment.

	Reappropriation	Appropriation
GF, For Dev Acct	300,000	
GF, Res Mgmt Cost Acct	135,000	

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
105,000		540,000
(6) Acquire recreational property on Mt. Si.		
	Reappropriation	Appropriation
GF, ORA—State	200,000	
GF, ORA—Federal	200,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,400,000		1,800,000
(7) Replace existing water system at department of natural resources Lacey compound.		
	Reappropriation	Appropriation
General Fund—State		16,000
GF, Res Mgmt Cost Acct		34,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		50,000
(8) Purchase land for resource management, Natural Resources Land Bank.		
	Reappropriation	Appropriation
GF, For Dev Acct		2,000,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,000,000	4,000,000	7,000,000
(9) Construct and improve roads and bridges, management ponds.		
	Reappropriation	Appropriation
GF, For Dev Acct		240,000
GF, Res Mgmt Cost Acct	1,273,000	929,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
193,000	4,000,000	6,958,000
(10) Develop irrigation projects on state-owned land.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	2,742,000	4,899,400
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
2,968,000	12,000,000	22,609,400
(11) Acquire rights-of-way access for land management.		
	Reappropriation	Appropriation
GF, For Dev Acct		169,000
GF, Res Mgmt Cost Acct		676,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	1,600,000	3,311,000
(12) Construct boat launch ramp and breakwater, Marine Research Center.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		19,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		19,000
(13) Purchase culverts and other materials for honor camp road maintenance.		
	Reappropriation	Appropriation
GF, CEP & RI Acct		150,000

Project Costs Through 6/30/81	20,000	Estimated Costs 7/1/83 and Thereafter	200,000	Estimated Total Costs	370,000
(14) Increase seedling quality and production, Forest Nursery.				Reappropriation	Appropriation
GF, Res Mgmt Cost Acct					110,000
Project Costs Through 6/30/81	15,000	Estimated Costs 7/1/83 and Thereafter	40,000	Estimated Total Costs	310,000
(15) Improve forest fire protection facilities.				Reappropriation	Appropriation
General Fund—State					49,000
Project Costs Through 6/30/81	15,000	Estimated Costs 7/1/83 and Thereafter	40,000	Estimated Total Costs	104,000
(16) Provide access to potential commercial lease property, highway 18 interchange.				Reappropriation	Appropriation
GF, For Dev Acct					250,000
Project Costs Through 6/30/81		Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs	250,000
(17) Construct access to road to state land, Rock Creek Road rehabilitation.				Reappropriation	Appropriation
GF, For Dev Acct					250,000
Project Costs Through 6/30/81		Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs	
(18) Construct and improve campsites, roads, trails, and other recreation projects.				Reappropriation	Appropriation
GF, ORV			507,000		429,000
GF, Snowmobile Acct					67,000
GF, ORA—State			99,000		310,000
GF, ORA—Federal			300,000		310,000
Project Costs Through 6/30/81	2,470,000	Estimated Costs 7/1/83 and Thereafter	1,379,000	Estimated Total Costs	5,871,000
(19) Construct bridge and access road to state lands, McDonald Mainline.				Reappropriation	Appropriation
GF, For Dev Acct					69,700
GF, Res Mgmt Cost Acct					135,300
Project Costs Through 6/30/81		Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs	205,000
(20) Remodel five field buildings.				Reappropriation	Appropriation
General Fund—State					27,000
GF, For Dev Acct					23,000
GF, Res Mgmt Cost Acct					46,000
Project Costs Through 6/30/81		Estimated Costs 7/1/83 and Thereafter		Estimated Total Costs	96,000

(21) Acquire the Milwaukee Railroad right-of-way and existing bridges from Easton in Kittitas County to Tekoa in Whitman County(~~—PROVIDED: That any funds not expended for this acquisition shall be retained by the department of natural resources for the purpose of acquiring dredge spoil sites on the Cowitz, Coweeman and Toutle rivers~~)).

GF. ORA--State	Reappropriation	Appropriation ((3,500,000)) <u>2,500,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		((3,500,000)) <u>2,500,000</u>

Sec. 46. Section 901, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT OR SUCCESSOR AGENCY—PUBLIC FACILITIES CONSTRUCTION LOAN REVOLVING FUND

For public works financing through the community economic revitalization board.

Ten percent of the appropriation in this section shall be used to fund projects certified by the planning and community affairs agency or successor agency in the ~~((community block))~~ state urban development action grant program and approved by the community economic revitalization board.

If Substitute House Bill No. 245 is not enacted before July 1, 1983, the appropriation in this section shall lapse.

GF. St Bldg Constr Acct	Reappropriation	Appropriation 20,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		20,000,000

NEW SECTION. Sec. 47. Section 126, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 48. Sections 2 through 6, 9, 10, 12, 16, 22 through 27, 30, 32 through 34, 36, 38, 41 through 44 of this act are each added to chapter 57, Laws of 1983 1st ex. sess.

NEW SECTION. Sec. 49. 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, on line 1 of the title, after "agencies;" strike the remainder of the title and insert "amending section 202, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 208, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 216, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 221, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 226, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 227, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 229, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 231, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 230, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 243, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 235, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 511, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 517, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 635, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 829, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 833, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 873, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 874, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 17, chapter 143, Laws of 1981 as amended by section 110, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 901, chapter 57, Laws of 1983 1st ex. sess. (uncodified); adding new sections to chapter 57, Laws of 1983 1st ex. sess. (uncodified); making appropriations; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Braddock, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1157, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 2, 1984

Mr. Speaker:

The House amendment to ENGROSSED SENATE BILL NO. 4228 was ruled beyond the scope and object of the bill, and the Senate asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House receded from its amendment to Engrossed Senate Bill No. 4228.

FINAL PASSAGE OF SENATE BILL
WITHOUT HOUSE AMENDMENT

The Speaker declared the question before the House to be the final passage of Engrossed Senate Bill No. 4228 without the House amendment.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4228 without the House amendment, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wilson - 1.

Engrossed Senate Bill No. 4228 without the House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 1, 1984

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4798, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kreidler, the House insisted on its position on Engrossed Senate Bill No. 4798, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 977 with the following amendments:

On page 1, line 16 strike all of new section 2.

On page 1, line 2 of the title after "uncodified" strike the remainder of the title and insert a period.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 977, and ask the Senate for a conference thereon.

Representatives Armstrong and Padden spoke in favor of the motion, and it was carried.

MESSAGE FROM THE SENATE

March 3, 1984

Mr. Speaker:

The Senate refuses to recede from its position on SUBSTITUTE HOUSE BILL NO. 552 and the Senate amendment thereto, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Warnke, Quigg, Rasmussen, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Niemi, the House granted the request of the Senate for a conference on Substitute House Bill No. 552.

APPOINTMENT OF CONFEREES

The Speaker announced the following conference committee appointments:

2SHB 689: Representatives J. King, Ebersole and Silver;

HB 880: Representatives Kreidler, Niemi and Lewis;

ESHB 1157: Representatives Braddock, Grimm and Tilly;

ESSB 4448: Representatives Kreidler, McClure and Mitchell;

SB 4619: Representatives Moon, Haugen and Ballard;

ESB 4798: Representatives Kreidler, Wang and B. Williams.

MOTIONS

On motion of Mr. Heck, the House advanced to the seventh order of business.

On motion of Mr. Heck, the Rules Committee was relieved of REENGROSSED SENATE BILL NO. 3044, and the bill was ordered placed at the top of tomorrow's third reading calendar.

MESSAGE FROM THE SENATE

March 3, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3449, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Heck, the House adjourned until 2:00 p.m., Sunday, March 4, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-SIXTH DAY**AFTERNOON SESSION**

House Chamber, Olympia, Wash., Sunday, March 4, 1984

The House was called to order at 2:00 p.m. by the Speaker (Mr. McClure presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Lisa Kuecker and Bryan Hanson. Prayer was offered by The Reverend Charles Leps, Minister of the Gloria Dei Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 3, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3169,
 SUBSTITUTE SENATE BILL NO. 3385,
 SUBSTITUTE SENATE BILL NO. 3926,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4340,
 SENATE BILL NO. 4409,
 SENATE BILL NO. 4412,
 SENATE BILL NO. 4457,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

ESSB 3169 by Committee on Natural Resources (originally sponsored by Senators Goltz and Owen; by Department of Game request)

Making various housekeeping changes in the game laws.

Referred to Committee on Natural Resources

SSB 3385 by Committee on Ways & Means (originally sponsored by Senator Moore)

Exempting precious metal bullion from sales and use taxation.

Referred to Committee on Ways & Means

SSB 3926 by Committee on State Government (originally sponsored by Senator McDermott)

Modifying provisions on deferred compensation.

Referred to Committee on Ways & Means

ESSB 4340 by Committee on Ways & Means (originally sponsored by Senator Gaspard)

Taxing the possession for sale or use of marijuana and controlled substances.

Referred to Committee on Ways & Means

SB 4409 by Senators Hansen, Wojahn, Deccio, Goltz, Barr, McDermott, Hayner, Benitz and Newhouse

Lowering the business and occupation tax rate on the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale.

Referred to Committee on Ways & Means

SB 4412 by Senators Hurley and McCaslin

Exempting inhalation therapy systems sold for personal use from sales and use tax.

Referred to Committee on Ways & Means

SB 4457 by Senators Thompson, Zimmerman and Bauer

Reducing the B&O surtax rate on sales of motor vehicle fuel in border counties.

Referred to Committee on Ways & Means

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-152, by Representative Armstrong

WHEREAS, The "Exercise Your Constitution" project, sponsored by "Today's Constitution and You," is an excellent means of registering persons eighteen years of age to vote; and

WHEREAS, The "Today's Constitution and You" project, sponsored by Metrocenter YMCA, is dedicated to education and inspiring active citizenship in preparation for the Bicentennial of the United States Constitution in 1987; and

WHEREAS, The "Exercise Your Constitution" project is a statewide effort which is designed to train persons eighteen years of age as deputy registrars to register eligible persons eighteen years of age to vote through their high schools; and

WHEREAS, The "Exercise Your Constitution" project is being organized through the efforts of volunteers in their local communities; and

WHEREAS, This project will start on Law Day, May 1, 1984, and run through May 4, 1984; and

WHEREAS, Voter registration is one of the first steps toward active participation in our government and should be encouraged and supported by the legislature;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington officially recognizes and provides its support for "Exercise Your Constitution," and officially proclaims May 1, 1984, as the statewide kickoff for this outstanding effort.

On motion of Mr. Armstrong, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-154, by Representatives Dellwo and West

WHEREAS, The Sentencing Guidelines Commission was created by the Washington State Legislature in order to make our criminal justice system more accountable to the public by means of a more structured and reasoned approach to the sentencing of felony offenders; and

WHEREAS, The Legislature mandated the Commission to devise standard felony sentence ranges with due regard to the offender's criminal record, to devise prosecutorial standards for charging of offenses and plea agreements, as well as to devise standards governing whether sentences are to be served consecutively or concurrently; and

WHEREAS, In fulfillment of this mandate, the Commission conducted public meetings and hearings extending over five hundred hours, and its members have contributed some five thousand hours of their time to reach a consensus on these matters; and

WHEREAS, The recommendations of the Commission have provided learned guidance to the Legislature and invaluable assistance to the fulfillment of its responsibilities; and

WHEREAS, The Commission has drafted, and the Legislature has enacted, the most comprehensive statutes in the nation pertaining to sentencing of offenders; and

WHEREAS, The following members and staff have served the Commission in the discharge of its duties:

Commission Members

Dr. Donna D. Schram, Chair
 Judge Joseph H. Coleman
 Judge Harold D. Clarke
 Judge Paul D. Hansen
 Judge Charles V. Johnson
 Senator Dick Hemstad
 Senator Barbara Granlund
 Senator Ruthe Ridder
 Representative Seth Armstrong
 Representative Mary Kay Becker
 Representative Mike Padden
 Donald C. Brockett
 Norm Maleng
 Arthur F. Clifford, Jr.
 Steve Scott
 George Finkle
 Warren Netherland
 Manuel "Buzz" Costa
 Joe Tallor
 Amos Reed
 William E. Henry
 Phil Aaron
 Edna Goodrich

Commission Staff

Roxanne Park
 Dr. David Fallen

Joann Thompson
 Sally Turnbull

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That due recognition of the Commission's meritorious service be conveyed through adoption of this Resolution on behalf of the citizens of the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the Governor and to each of the Commission members and staff.

Mr. Dellwo moved adoption of the resolution. Representatives Dellwo and West spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-158, by Representatives D. Nelson, Burns, Prince, Miller and Jacobsen

WHEREAS, The use of part-time faculty gives community college districts management flexibility and access to locally available expertise in many fields; and

WHEREAS, The community college system uses part-time faculty extensively; and

WHEREAS, The use of part-time faculty is steadily increasing in the community college system; and

WHEREAS, Part-time faculty have a salary and fringe benefit package substantially below that enjoyed by full-time faculty; and

WHEREAS, Part-time faculty frequently lose their jobs when budget cuts are required;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the State Board for Community College Education be requested to conduct a study on the benefits and problems of using part-time faculty in the Community College system; and

BE IT FURTHER RESOLVED, That the study, covering the period of September 1979 through August 1984, include an analysis of the following factors: (1) A comparison of the salary and benefit packages enjoyed by full-time and part-time faculty; (2) a comparison of the teaching loads and types of classes taught by full-time and part-time faculty; (3) a breakdown of the use of part-time faculty in vocational education, academic transfer, community service, basic education classes, and home and family life programs; and (4) a comparison of the reversion rights and number of lay-offs between full-time and part-time faculty; and

BE IT FURTHER RESOLVED, That the State Board for Community College Education is requested to include in its findings recommendations for the appropriate mix

of part-time and full-time faculty, an appropriate salary and benefit package for part-time faculty, and statutory changes needed to implement their findings; and

BE IT FURTHER RESOLVED, That the State Board for Community College Education is requested to report its findings and recommendations to the Legislature by January 15, 1985; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to the State Board for Community College Education.

Mr. D. Nelson moved adoption of the resolution. Representative D. Nelson spoke in favor of the resolution and Representatives Barnes, Taylor and Nealey spoke against it.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Nelson, I've noticed the extensive work that we're asking the state for community college education to include in their efforts, and I'm wondering if you have made any contact with the State Board as to what extent they have approved this resolution and to what extent they will need additional staff to conduct this study?"

Mr. D. Nelson: "Representative Nelson, I'm glad you have asked that question. Yes, indeed, we did work with the State Board. They have reviewed the resolution and they have no problems with it. In fact, a representative appeared at our Higher Education meeting when we were talking about interim planning and said that they were ready to carry out the resolution with the staff they currently have."

Representatives Fisch and Miller spoke in favor of the resolution, and Representatives Zellinsky and Schoon spoke against it.

Mr. D. Nelson spoke again in favor of the resolution.

ROLL CALL

The Clerk called the roll on adoption of House Floor Resolution No. 84-158, and the resolution was adopted by the following vote: Yeas, 58; nays, 40; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sayan, Scott, Silver, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Smith C, Smith L, Smitherman, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 40.

MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

THIRD READING

REENGROSSED SENATE BILL NO. 3044 AS AMENDED BY THE HOUSE, by Senators Gaspard, Metcalf and Goltz

Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials.

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

Representatives Powers, Broback and Johnson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 3044 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 5; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B. Williams J. Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Armstrong, Braddock, Brekke, Monohon, Rust - 5.

Reengrossed Senate Bill No. 3044 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. McClure presiding) declared the House to be at ease.

The Speaker (Mr. Heck presiding) called the House to order.

MESSAGE FROM THE SENATE

March 4, 1984

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3449,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 3, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3181, modifying provisions relating to involuntary treatment, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Hemstad; Representatives Dellwo, Crane, Lewis.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Conference Committee and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 3, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3429, establishing a state advisory commission on criminal justice, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Hughes; Representatives Armstrong, P. King, Padden.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3429, and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 3, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4309, prohibiting the sexual exploitation of children, have had the

same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Hemstad; Representatives Ellis, Locke, West.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Conference Committee on Engrossed Senate Bill No. 4309, and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 3, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4435, enacting provisions relating to racketeering, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Shimpoch; Representatives Wang, Armstrong, Padden.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 4435, and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 3, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, restricting utilities from terminating utility service for residential space heat, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Williams, McDermott, Hemstad; Representatives D. Nelson, Sutherland.

MOTION

Mr. D. Nelson moved that the House adopt the report of the Conference Committee on Engrossed Substitute Senate Bill No. 4490 and grant the committee the powers of Free Conference.

Representatives D. Nelson and Sutherland spoke in favor of the motion, and Representatives Isaacson, Long, Van Luven and Sanders spoke against it.

Mr. D. Nelson spoke again in favor of the motion, and Mr. Isaacson again opposed it.

ROLL CALL

The Clerk called the roll on the motion that the report of the Conference Committee on Engrossed Substitute Senate Bill No. 4490 be adopted, and the motion was carried by the following vote: Yeas, 50; nays, 48; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

SIGNED BY THE SPEAKER

The Speaker (Mr. Heck presiding) announced that the Speaker was signing:
 SENATE BILL NO. 3449,
 SUBSTITUTE SENATE BILL NO. 3827,
 SUBSTITUTE SENATE BILL NO. 4579,
 SUBSTITUTE SENATE BILL NO. 4653.

REPORT OF CONFERENCE COMMITTEE

March 3, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4788, authorizing the creation of habitat buffer zone to protect endangered and threatened species, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Hughes, Woody, Haley; Representatives Rust, Fisher, Allen.

MOTION

On motion of Ms. Rust, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 4788, and granted the committee the powers of Free Conference.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1531 with the following amendments:

Beginning on page 1, line 18 after "follows:" strike all material down to and including "disbursements." on page 2, line 2 and insert:

"The flood control assistance account is hereby established in the general fund. At the beginning of each biennium after June 30, 1985, the state treasurer shall transfer from the general fund to the flood control assistance account an amount of money which, when combined with money remaining in the account from the previous biennium, will equal four million dollars. Moneys in the flood control assistance account may be spent only after appropriation for a specified list of projects under this chapter."

On page 3, line 15 after "assistance" strike "fund" and insert "account"

On page 4, line 4 after "assistance" strike "fund" and insert "account"

On page 4, line 23 after "assistance" strike "fund" and insert "account"

On page 5, beginning on line 21 strike all of sections 10 and 11 and renumber the remaining sections consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Moon, the House concurred in the Senate amendments to Substitute House Bill No. 1531.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1531 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1531 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voicing yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi,

O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1531 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.

MESSAGE FROM THE SENATE

February 28, 1984

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 4275 on page 1, line 23 and refuses to concur in the House amendment to page 1, line 27 and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Sommers, the House again insisted on its position on Engrossed Senate Bill No. 4275, and again asked the Senate to concur therewith.

Representative Sanders spoke in favor of the motion, and it was carried.

MESSAGES FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SECOND SUBSTITUTE HOUSE BILL NO. 689, and the President has appointed as Senate conferees thereon: Senators McManus, Quigg, Moore, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 4, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4448, and the President has appointed as Senate conferees thereon: Senators McManus, Deccio, Moore, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 4, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SENATE BILL NO. 4619, and the President has appointed as Senate conferees thereon: Senators Thompson, Woody, McCaslin, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 4, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 4798, and the President has appointed as Senate conferees thereon: Senators Granlund, Owen, Metcalf, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4831, by Committee on Ways & Means (originally sponsored by Senators Talmadge, Kiskaddon, Hughes, Bluechel, Rasmussen, Williams, Pullen, Wojahn, Goltz, Bender, Hurley, Hemstad, Fuller and Zimmerman)

Establishing a program for disclosure of information regarding hazardous substances in the workplace.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. Heck presiding) stated the question before the House to be the committee amendment.

Mr. Van Dyken moved adoption of the following amendment to the committee amendment:

On page 32, after line 30 insert:

"(c) Prepare an updated fiscal note of the costs of this act to the department and to local governments, school districts, institutions of higher education and hospitals;

(d) Report to the legislature its findings under (b) and (c) of this section by January 1, 1985"
Renumber the remaining subsections consecutively.

Representatives Van Dyken, Dickie, Patrick, Hastings, C. Smith and Smitherman spoke in favor of the amendment to the amendment, and Representatives Rust, D. King and Sommers spoke against it.

Ms. Rust again opposed the amendment, and Mr. Van Dyken spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to page 32 of the committee amendment to Engrossed Second Substitute Senate Bill No. 4831, and the amendment was adopted by the following vote: Yeas, 52; nays, 46; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, King P, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 46.

Mr. Hastings moved adoption of the following amendment to the committee amendment:

On page 35, line 30 after "shall" insert "after July 1, 1985."

Representatives Hastings and Rust spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Patrick and J. Williams to the committee amendment:

On page 37, after line 28 insert "fifty dollars per affected employee per day, not to exceed"

Representatives Van Dyken, Fuhrman, Patrick and Barnes spoke in favor of the amendment, and Representatives Rust and R. King spoke against it.

Mr. Van Dyken spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken and others to the committee amendment to Engrossed Second Substitute

Senate Bill No. 4831, and the amendment was adopted by the following vote: Yeas, 51; nays, 47; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Berozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 51.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Rust, Sayan, Scott, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 47.

Mr. Kaiser moved adoption of the following amendment to the committee amendment:

On page 38, after line 27 insert the following:

"NEW SECTION, Sec. 29. No person may purchase any hazardous substance identified by the department of agriculture under section 5 of this act unless that person possesses a current and valid private pesticide applicator's license issued by the department of agriculture of the state of Washington pursuant to chapters 17.21 and 15.58 RCW."

Renumber the remaining sections consecutively.

Mr. Kaiser spoke in favor of the amendment.

POINT OF ORDER

Mr. R. King: "Mr. Speaker, I believe this amendment is beyond the scope and object of the bill. It deals with purchase of insecticides rather than the question of workers' right to know."

SPEAKER'S RULING (MR. HECK PRESIDING)

Mr. Heck: "Representative King, your objection was not raised in a timely fashion. Please continue, Representative Kaiser."

Mr. Kaiser resumed his remarks in favor of the amendment, and Representatives Van Dyken and Brekke spoke against it.

Mr. Kaiser spoke again in favor of the amendment, and Mr. Fuhrman spoke against it.

The amendment to the amendment was not adopted.

The Clerk read the following amendment by Representative Patrick:

On page 38, after line 27 insert:

"NEW SECTION, Sec. 29. The department shall (1) prepare an updated detailed fiscal note of the costs of this act to the department and to local governments, school districts, institutions of higher education and hospitals, (2) make estimates of the costs to be incurred by manufacturers, suppliers and employers because of this act and (3) report to the legislature prior to January 1, 1985."

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Patrick withdrew the amendment.

Mr. Kaiser moved adoption of the following amendment to the committee amendment:

On page 5, line 34 after "organizations" insert "but does not include a person who employs less than four employees as agricultural laborers employed forty or more hours a week in such employment"

POINT OF ORDER

Ms. Rust: "Mr. Speaker, since he has already asked for reconsideration of the amendment that was adopted yesterday, can we reconsider it the second time?"

SPEAKER'S RULING (MR. HECK PRESIDING)

The Speaker (Mr. Heck presiding): "Representative Rust, your point is well taken. It would require suspension of the rules for the body to reconsider the vote by which the amendment was adopted yesterday, since a similar motion to reconsider has already failed."

Ms. Rust spoke against the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kaiser to page 5 of the committee amendment to Engrossed Second Substitute Senate Bill No. 4831, and the amendment was adopted by the following vote: Yeas, 62; nays, 36; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Ellis, Fische, Fuhrman, Grimm, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 62.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Fisher, Gallagher, Galloway, Garrett, Halsan, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, McClure, Monohon, Nelson D, Niemi, O'Brien, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Wang, and Mr. Speaker - 36.

MOTION FOR RECONSIDERATION

Mr. Kaiser, having voted on the prevailing side, moved that the rules be suspended, and the House reconsider the vote by which the amendment to page 5, line 6 was adopted on the previous day.

POINT OF INQUIRY

Mr. Kaiser yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Kaiser, the amendment which you are attempting to have reconsidered and defeated is the one that was placed in the wrong section and the amendment we just adopted would correct that?"

Mr. Kaiser: "That is right."

The motion was carried.

The Speaker (Mr. Heck presiding) stated the question before the House to be reconsideration of the amendment to page 5 of the committee amendment.

The amendment was not adopted.

The Speaker (Mr. Heck presiding) stated the question before the House to be adoption of the committee amendment as amended.

Representatives Rust and Van Dyken spoke in favor of the amendment as amended, and it was adopted.

Engrossed Second Substitute Senate Bill No. 4831 as amended by the House was passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1138,
SUBSTITUTE HOUSE BILL NO. 1262,
HOUSE JOINT MEMORIAL NO. 16.

MESSAGE FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 939, and has passed the bill as amended by the Free conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 2, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 939, modifying modification and enforcement procedures used by municipalities regarding uninhabitable dwellings, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass without the Senate amendment:

On page 2, line 23 after "different" insert ", and to each person or party having a recorded right, title, estate, lien, or interest in the property"

Signed by Senators Thompson, Bauer, Barr; Representatives Moon, Appelwick, Van Dyken.

MOTION

On motion of Mr. Moon, the House adopted the report of the Free Conference Committee on House Bill No. 939.

FINAL PASSAGE OF HOUSE BILL AS AMENDED
BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of House Bill No. 939 as amended by the Free Conference Committee.

Mr. Moon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 939 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 939 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 Mr. Heck, the House advanced to the eighth order of business.

Mr. Heck moved that the rules be suspended to allow reconsideration of the vote by which Engrossed Substitute House Bill No. 1471 failed to pass the House.

The motion was lost.

APPOINTMENT OF CONFEREES

The Speaker announced the following Conference Committee appointments:

SHB 552: Representatives Niemi, Halsan and West;

SHB 977: Representatives Armstrong, Wang and Tilly.

MOTION

On motion of Mr. Heck, the House adjourned until 9:30 a.m., Monday, March 5, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 5, 1984

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Jackie Bachmann and Kim McDonald. Prayer was offered by Pastor Mark Fielding, Church of the Living Water of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1275,

HOUSE BILL NO. 1319,

SENATE CONCURRENT RESOLUTION NO. 149,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 4, 1984

Mr. Speaker:

The Senate concurred in the House amendments to SECOND SUBSTITUTE SENATE BILL NO. 3815, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SCR 149 by Senators Bottiger, Newhouse, Vognild, Lee, Talmadge and Shinpoch

Establishing the joint select committee on the law enforcement officers' and fire fighters' retirement system.

Referred to Committee on Rules

MESSAGE FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 4578 on page 1, line 21, and passed the bill as amended by the House, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

FINAL PASSAGE OF SENATE BILL WITH CERTAIN HOUSE AMENDMENT

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute Senate Bill No. 4578 with the House amendment to page 1, line 21.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4578 with the House amendment to page 1, line 21, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Delliwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure,

McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Clayton, Monohon, Sommers - 3.

Substitute Senate Bill No. 4578 with certain House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SENATE BILL NO. 4607 on page 2, line 23 and passed the bill as amended by the House, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

FINAL PASSAGE OF SENATE BILL WITH CERTAIN HOUSE AMENDMENT

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Senate Bill No. 4607 with the House amendment to page 2, line 23 and without the remaining House amendment.

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4607 with the House amendment to page 2, line 23, and the bill passed the House by the following vote: Yeas, 89; nays, 6; absent, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Dickie, Fuhrman, Hastings, Nealey, Padden - 6.

Absent: Representatives Clayton, Monohon, Sommers - 3.

Engrossed Senate Bill No. 4607 with certain House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please let the record show that I am opposed to ESB 4607 as finally passed by the Legislature.

A much more careful review of section 3 will show that section 3 is outside the title and beyond the scope and object of the bill.

Furthermore, subsection (3) of section 3, along with the incorporation of radioactive wastes into the definition of dangerous wastes in subsection (1), appears to lead to requirements to remove spent nuclear fuels from reactor facilities within ninety days of their generation. This is clearly an attempt to preempt federal power in this matter and is, therefore, unconstitutional.

Unfortunately, my vote on final passage was recorded in error as a 'yes' vote.

SHIRLEY HANKINS, 8th District.

STATEMENT FOR THE JOURNAL

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Furthermore, subsection (3) of section 3, along with the incorporation of radioactive wastes into the definition of dangerous wastes in subsection (1), appears to lead to requirements to remove spent nuclear fuels from reactor facilities within ninety days of their generation. This is clearly an attempt to preempt federal power in this matter and is, therefore, unconstitutional.

Unfortunately, my vote on final passage was recorded in error as a 'yes' vote.
RAY ISAACSON, 8th District.

MESSAGE FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3181, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3181, modifying provisions relating to involuntary treatment, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 20, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 215, Laws of 1979 ex. sess. and RCW 71.05.150 are each amended to read as follows:

(1) (a) When a mental health professional designated by the county receives information alleging that a person, as a result of a mental disorder, presents a likelihood of serious harm to others or himself, or is gravely disabled, such mental health professional, after investigation and evaluation of the specific facts alleged, and of the reliability and credibility of the person or persons, if any, providing information to initiate detention, may ~~((summon such person to appear at an evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period; the summons shall state whether the required seventy-two hour evaluation and treatment services may be delivered on an outpatient or inpatient status. The mental health professional shall also designate, at the time of the summons, from a list provided by the court, an attorney who will be appointed, if any is to be appointed, and state the name, business address, and telephone number of this attorney in the summons)), if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention. Before filing the petition, the county designated mental health professional must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility.~~

(b) ~~((The summons shall state a date and time to appear not less than twenty-four hours after the service of the summons. The summons)) Whenever it appears, by petition for initial detention, to the satisfaction of a judge of the superior court that a person presents, as a result of a mental disorder, a likelihood of serious harm to others or himself, or is gravely disabled, and that the person has refused or failed to accept appropriate evaluation and treatment voluntarily, the judge may issue an order requiring the person to appear not less than twenty-four hours after service of the order at a designated evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period. The order shall state the address of the evaluation and treatment facility to which ((such)) the person is to report and ((the business address and phone number of the mental health professional designated by the county. The summons shall state)) whether the required seventy-two hour evaluation and treatment services may be delivered on an outpatient or inpatient basis and that if the person named in the ((summons)) order fails to appear at the evaluation and treatment facility at or before the date and time stated in the ((summons)) order, such person may be involuntarily taken into custody((Accompanying the summons to such person shall be a copy of the petition for initial detention and a notice of rights)) for evaluation and treatment. The order shall also designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.~~

(c) ~~((If such mental health professional decides to summon such person for up to a seventy-two hour evaluation and treatment period, the mental health professional must file in court the summons, the petition for initial detention, and all documentary evidence.)) The mental health professional shall then serve or cause to be served on such person, his guardian, and conservator, if any, a copy of the ((summons)) order to appear together with a notice of rights and a~~

petition for initial detention. After service on such person the mental health professional shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility and the designated attorney. The mental health professional shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time (~~specified on the summons if such person is not released prior to the expiration of such period~~) of outpatient evaluation or admission to the evaluation and treatment facility. The person shall be permitted to remain in his home or other place of his choosing prior to the time of evaluation and shall be permitted to be accompanied by one or more of his relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(d) If the person (~~summoned~~) ordered to appear does appear(s) on or before the date and time specified, the evaluation and treatment facility may admit such person as required by RCW 71.05.170 or may provide treatment on an outpatient basis. If the person (~~summoned~~) ordered to appear fails to appear on or before the date and time specified, the evaluation and treatment facility shall immediately notify the mental health professional designated by the county who may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility. Should the mental health professional notify a peace officer authorizing him to take a person into custody under the provisions of this subsection, he shall file with the court a copy of such authorization and a notice of detention. At the time such person is taken into custody there shall commence to be served on such person, his guardian, and conservator, if any, a copy of the original (~~summons~~) order together with a notice of detention, a notice of rights, and a petition for initial detention.

(2) When a mental health professional designated by the county receives information alleging that a person, as the result of a mental disorder, presents an imminent likelihood of serious harm to himself or others, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the mental health professional may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility for not more than seventy-two hours as described in RCW 71.05.180.

(3) A peace officer may take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility pursuant to subsection (1)(d) of this section.

(4) A peace officer may, without prior notice of the proceedings provided for in subsection (1) of this section, take or cause such person to be taken into custody and immediately delivered to an evaluation and treatment facility:

(a) Only pursuant to subsections (1)(d) and (2) of this section; or

(b) When he has reasonable cause to believe that such person is suffering from a mental disorder and presents an imminent likelihood of serious harm to others or himself or is in imminent danger because of being gravely disabled.

(5) Persons delivered to evaluation and treatment facilities by peace officers pursuant to subsection (4)(b) of this section may be held by the facility for a period of up to twelve hours: PROVIDED, That they are examined by a mental health professional within three hours of their arrival. Within twelve hours of their arrival, the designated county mental health professional must file a supplemental petition for detention, and commence service on the designated attorney for the detained person.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Signed by Senators Talmadge, Hemstad; Representatives Dellwo, Crane, Lewis.

MOTION

Mr. Armstrong moved that the report of the Free Conference Committee be adopted.

Representatives Armstrong and Padden spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute Senate Bill No. 3181 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3181 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Clayton - 1.

Substitute Senate Bill No. 3181 as amended by 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 SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3429, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3429, establishing a state advisory commission on criminal justice, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. There is established a joint legislative committee on the criminal justice system. The committee shall be composed of the following nineteen persons:

(1) The president of the Washington state association of police chiefs and sheriffs, or his designee;

(2) The chief of the Washington state patrol, or his designee;

(3) The president of the Washington association of prosecuting attorneys, or his designee;

(4) The president of the Washington state bar association, or his designee;

(5) The president of the Washington state magistrates association, or his designee;

(6) The president of the superior court judges association, or his designee;

(7) The president of the Washington state psychological association or his designee;

(8) The president of the Washington association of school administrators or his designee;

(9) The executive director of the Washington state school directors association or his designee;

(10) Four members of the senate, who shall be selected by the president of the senate, two from the majority party and two from the minority party;

(11) Four members of the house of representatives, who shall be selected by the speaker of the house of representatives, two from the majority party and two from the minority party; and

(12) Two members of the public appointed by the governor.

NEW SECTION. Sec. 2. (1) The committee shall survey and study crime prevention, the causes of crime, and how the administration of the criminal justice system impacts crime.

(2) The committee shall submit its findings and recommendations thereon to the governor, the legislature, and the judicial branch of state government. A final report shall be prepared and submitted by January 1, 1986, on which date the committee shall cease to exist.

NEW SECTION. Sec. 3. The committee shall meet and organize pursuant to the call of its chair, who shall be elected by its legislative members. Legislative members of the committee shall be reimbursed for travel expenses as provided in RCW 44.04.120. Other members of the committee shall be reimbursed for expenses as provided in RCW 43.03.050 and 43.03.060."

Signed by Senators Talmadge, Hughes; Representatives Armstrong, P. King, Padden.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3429.

FINAL PASSAGE OF SENATE BILL AS AMENDED
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 3429 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3429 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 2; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Clayton, Niemi - 2.

Engrossed Substitute Senate Bill No. 3429 as amended by 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 SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 4309, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4309, prohibiting the sexual exploitation of children, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance. The care of children is a sacred trust and should not be abused by those who seek commercial gain or personal gratification based on the exploitation of children.

The legislature further finds that the protection of children from sexual exploitation can be accomplished without infringing on a constitutionally protected activity. The definition of 'sexually explicit conduct' and other operative definitions demarcate a line between protected and prohibited conduct and should not inhibit legitimate scientific, medical, or educational activities.

NEW SECTION. Sec. 2. Unless the context clearly indicates otherwise, the definitions in this section apply throughout the chapter.

(1) To 'photograph' means to make a print, negative, slide, motion picture, or videotape. A 'photograph' means any tangible item produced by photographing.

(2) 'Visual or printed matter' means any photograph or other material that contains a reproduction of a photograph.

(3) 'Sexually explicit conduct' means actual or simulated:

- (a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals;
- (b) Penetration of the vagina or rectum by any object;
- (c) Masturbation, for the purpose of sexual stimulation of the viewer;
- (d) Sadomasochistic abuse for the purpose of sexual stimulation of the viewer;
- (e) Exhibition of the genitals or unclothed pubic or rectal areas of any minor for the purpose of sexual stimulation of the viewer;
- (f) Defecation or urination for the purpose of sexual stimulation of the viewer; and
- (g) Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer.

NEW SECTION, Sec. 3. (1) A person is guilty of sexual exploitation of a minor if the person:

- (a) Compels a minor by threat or force to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance;
- (b) Aids or causes a minor to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance; or
- (c) Being a parent, legal guardian, or person having custody or control of a minor, permits the minor to engage in sexually explicit conduct, knowing that the conduct will be photographed or part of a live performance.

(2) Sexual exploitation of a minor is:

(a) A class B felony punishable under chapter 9A.20 RCW if the minor exploited is less than sixteen years old at the time of the offense; and

(b) A class C felony punishable under chapter 9A.20 RCW if the minor exploited is at least sixteen years old but less than eighteen years old at the time of the offense.

NEW SECTION, Sec. 4. A person who:

(1) Knowingly develops, duplicates, publishes, prints, disseminates, exchanges, finances, attempts to finance, or sells any visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct; or

(2) Possesses with intent to develop, duplicate, publish, print, disseminate, exchange, or sell any visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct

is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) As used in this section, "minor" means a person under sixteen years of age.

NEW SECTION, Sec. 5. (1) A person who knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, any visual or printed matter that depicts a minor engaged in sexually explicit conduct is guilty of a class C felony punishable under chapter 9A.20 RCW.

(2) As used in this section, "minor" means a person under sixteen years of age.

NEW SECTION, Sec. 6. (1) A person who knowingly possesses visual or printed matter depicting a minor engaged in sexually explicit conduct is guilty of a gross misdemeanor.

(2) As used in this section, "minor" means a person under sixteen years of age.

NEW SECTION, Sec. 7. (1) A person who, in the course of processing or producing visual or printed matter either privately or commercially, has reasonable cause to believe that the visual or printed matter submitted for processing or producing depicts a minor engaged in sexually explicit conduct shall immediately report such incident, or cause a report to be made, to the proper law enforcement agency. Persons failing to do so are guilty of a gross misdemeanor.

(2) As used in this section, "minor" means a person under sixteen years of age.

NEW SECTION, Sec. 8. (1) A person who communicates with a minor for immoral purposes is guilty of a gross misdemeanor, unless that person has previously been convicted of a felony sexual offense under chapter 9.68A, 9A.44, or 9A.64 RCW or of any other felony sexual offense in this or any other state, in which case the person is guilty of a class C felony punishable under chapter 9A.20 RCW.

(2) As used in this section, "minor" means a person under sixteen years of age.

NEW SECTION, Sec. 9. (1) A person is guilty of patronizing a juvenile prostitute if that person engages or agrees or offers to engage in sexual conduct with a minor in return for a fee, and is guilty of a class C felony punishable under chapter 9A.20 RCW.

(2) As used in this section, "minor" means a person under eighteen years of age.

NEW SECTION, Sec. 10. (1) In a prosecution under section 3 of this act, it is not a defense that the defendant was involved in activities of law enforcement and prosecution agencies in the investigation and prosecution of criminal offenses. Law enforcement and prosecution agencies shall not employ minors to aid in the investigation of a violation of section 8 or 9 of this act. This chapter does not apply to individual case treatment in a recognized medical facility or individual case treatment by a psychiatrist or psychologist licensed under Title 18 RCW, or to lawful conduct between spouses.

(2) In a prosecution under section 4, 5, 6, or 7 of this act, it is not a defense that the defendant did not know the age of the child depicted in the visual or printed matter: PROVIDED, That it is a defense, which the defendant must prove by a preponderance of the evidence, that at

the time of the offense the defendant was not in possession of any facts on the basis of which he or she should reasonably have known that the person depicted was a minor.

(3) In a prosecution under section 3 or 9 of this act, it is not a defense that the defendant did not know the alleged victim's age: PROVIDED, That it is a defense, which the defendant must prove by a preponderance of the evidence, that at the time of the offense, the defendant reasonably believed the alleged victim to be at least eighteen years of age based on declarations by the alleged victim.

(4) In a prosecution under section 4, 5, or 8 of this act, it is not a defense that the defendant did not know the alleged victim's age: PROVIDED, That it is a defense, which the defendant must prove by a preponderance of the evidence, that at the time of the offense, the defendant reasonably believed the alleged victim to be at least sixteen years of age based on declarations by the alleged victim.

(5) In a prosecution under section 4, 5, or 6 of this act, the state is not required to establish the identity of the alleged victim.

NEW SECTION, Sec. 11. The following are subject to seizure and forfeiture:

(1) All visual or printed matter that depicts a minor engaged in sexually explicit conduct.

(2) All raw materials, equipment, and other tangible personal property of any kind used or intended to be used to manufacture or process any visual or printed matter that depicts a minor engaged in sexually explicit conduct, and all conveyances, including aircraft, vehicles, or vessels that are used or intended for use to transport, or in any manner to facilitate the transportation of, visual or printed matter in violation of section 4 or 5 of this act, but:

(a) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter;

(b) No property is subject to forfeiture under this section by reason of any act or omission established by the owner of the property to have been committed or omitted without the owner's knowledge or consent;

(c) A forfeiture of property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(d) When the owner of a conveyance has been arrested under this chapter the conveyance may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest.

(3) All personal property, moneys, negotiable instruments, securities, or other tangible or intangible property furnished or intended to be furnished by any person in exchange for visual or printed matter depicting a minor engaged in sexually explicit conduct, or constituting proceeds traceable to any violation of this chapter.

(4) Property 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:

(a) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(c) A law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(d) The law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(5) In the event of seizure under subsection (4) of this section, 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 property seized and the person in charge thereof and any person having any known right or interest therein, of the seizure and intended forfeiture of the seized property. 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.

(6) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of seized items within forty-five days of the seizure, the item seized shall be deemed forfeited.

(7) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of seized items 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 an administrative law judge appointed under 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 aggregate value of the article or articles involved is more than five hundred dollars. The hearing before an administrative law judge and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the

article or articles 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 seized items. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is lawfully entitled to possession thereof of the seized items.

(8) If property is sought to be forfeited on the ground that it constitutes proceeds traceable to a violation of this chapter, the seizing law enforcement agency must prove by a preponderance of the evidence that the property constitutes proceeds traceable to a violation of this chapter.

(9) When property is forfeited under this chapter the seizing law enforcement agency may:

(a) Retain it for official use or upon application by any law enforcement agency of this state release the property to that agency for the exclusive use of enforcing this chapter;

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds and all moneys forfeited under this chapter shall be used for payment of all proper expenses of the investigation leading to the seizure, including any money delivered to the subject of the investigation by the law enforcement agency, and of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, actual costs of the prosecuting or city attorney, and court costs. Fifty percent of the money remaining after payment of these expenses shall be deposited in the criminal justice training account established under RCW 43.101.210 which shall be appropriated by law to the Washington state criminal justice training commission and fifty percent shall be deposited in the general fund of the state, county, or city of the seizing law enforcement agency; or

(c) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law.

NEW SECTION, Sec. 12. A minor prevailing in a civil action arising from violation of this chapter is entitled to recover the costs of the suit, including an award of reasonable attorneys' fees.

NEW SECTION, Sec. 13. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 53, Laws of 1980 and RCW 9.68A.010;

(2) Section 2, chapter 53, Laws of 1980 and RCW 9.68A.020;

(3) Section 3, chapter 53, Laws of 1980 and RCW 9.68A.030;

(4) Section 5, chapter 53, Laws of 1980 and RCW 9.68A.900; and

(5) Section 9A.88.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.44.110.

NEW SECTION, Sec. 14. Sections 1 through 12 of this act are each added to chapter 9.68A 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."

Signed by Senators Talmadge, Hemstad; Representatives Ellis, Locke, West.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 4309.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Senate Bill No. 4309 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4309 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Delivo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Prullitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Clayton, Niemi - 2.

Engrossed Senate Bill No. 4309 as amended by 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 SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4435, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4435, enacting provisions relating to racketeering, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Unless the context requires the contrary, the definitions in this section apply throughout this chapter.

- (1) 'Creditor' means a person making an extension of credit or a person claiming by, under, or through a person making an extension of credit.
- (2) 'Debtor' means a person to whom an extension of credit is made or a person who guarantees the repayment of an extension of credit or in any manner undertakes to indemnify the creditor against loss resulting from the failure of a person to whom an extension is made to repay the same.
- (3) 'Extortionate extension of credit' means an extension of credit with respect to which it is the understanding of the creditor and the debtor at the time the extension is made that delay in making repayment or failure to make repayment could result in the use of violence or other criminal means to cause harm to the person, reputation, or property of any person.
- (4) 'Extortionate means' means the use, or an express or implicit threat of use, of violence or other criminal means to cause harm to the person, reputation, or property of any person.
- (5) 'To collect an extension of credit' means to induce in any way a person to make repayment thereof.
- (6) 'To extend credit' means to make or renew a loan or to enter into an agreement, tacit or express, whereby the repayment or satisfaction of a debt or claim, whether acknowledged or disputed, valid or invalid, and however arising, may or shall be deferred.
- (7) 'Repayment of an extension of credit' means the repayment, satisfaction, or discharge in whole or in part of a debt or claim, acknowledged or disputed, valid or invalid, resulting from or in connection with that extension of credit.
- (8) 'Dealer in property' means a person who buys and sells property as a business.
- (9) 'Stolen property' means property that has been obtained by theft, robbery, or extortion.
- (10) 'Traffic' means to sell, transfer, distribute, dispense, or otherwise dispose of stolen property to another person, or to buy, receive, possess, or obtain control of stolen property, with intent to sell, transfer, distribute, dispense, or otherwise dispose of to another person.
- (11) 'Combination' means persons who collaborate in carrying on or furthering the activities or purposes of a criminal syndicate even though the persons may not know each other's identity, or membership in the combination changes from time to time, or one or more members may stand in a wholesaler-retailer or other arm's-length relationship with others as to activities or dealings between or among themselves in an illicit operation.
- (12) 'Criminal syndicate' means any combination of persons or enterprises engaging, or having the purpose of engaging, in conduct which violates any one or more provisions of any felony statute of this state.
- (13) 'Control' means the possession of a sufficient interest to permit substantial direction over the affairs of an enterprise.
- (14) 'Enterprise' includes any individual, sole proprietorship, partnership, corporation, business trust, or other profit or nonprofit legal entity, and includes any union, association, or group of individuals associated in fact although not a legal entity, and both illicit and licit enterprises and governmental and nongovernmental entities.
- (15) 'Financial institution' means any bank, trust company, savings and loan association, mutual savings bank, credit union, or loan company under the jurisdiction of the state or an agency of the United States.

(16) 'Racketeering' means any act, including any anticipatory or completed offense committed for financial gain, which is chargeable or indictable under the laws of the state in which the act occurred and, if the act occurred in a state other than this state, would be chargeable or indictable under the laws of this state had the act occurred in this state and punishable as a felony and by imprisonment for more than one year, regardless of whether the act is charged or indicted, involving:

- (a) Homicide;
- (b) Robbery;
- (c) Kidnapping;
- (d) Forgery;
- (e) Theft;
- (f) Bribery;
- (g) Gambling;
- (h) Usury;
- (i) Extortion;
- (j) Extortionate extensions of credit;
- (k) Delivery or manufacture of controlled substances or possession with intent to deliver or manufacture controlled substances under chapter 69.50 RCW;
- (l) Trafficking in explosives, weapons, or stolen property;
- (m) Leading organized crime;
- (n) Obstructing or hindering criminal investigations or prosecutions;
- (o) Asserting false claims including, not but limited to, false claims asserted through fraud or arson;
- (p) False statements or publications concerning land for sale or lease or sale of subdivided lands or sale and mortgaging of unsubdivided lands;
- (q) Resale of realty with intent to defraud;
- (r) Fraud in the purchase or sale of securities;
- (s) Sale of unregistered securities or real property securities and transactions involving such securities by unregistered dealers or salespersons;
- (t) A scheme or artifice to defraud;
- (u) Obscenity;
- (v) Child pornography;
- (w) Prostitution; or
- (x) Arson.

(17) 'Pattern of racketeering activity' requires at least two acts of racketeering activity, one of which occurred after the effective date of this act and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity.

(18) 'Records' means any book, paper, writing, record, computer program, or other material.

(19) 'Documentary material' means any book, paper, document, writing, drawing, graph, chart, photograph, phonograph record, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

(20) 'Unlawful debt' means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in the state in whole or in part because the debt was incurred or contracted:

- (a) In violation of any one of the following:
 - (i) Chapter 67.16 RCW relating to horse racing;
 - (ii) Chapter 9.46 RCW relating to gambling; or
 - (iii) Chapter 19.52 RCW relating to interest and usury; or
- (b) In a gambling activity in violation of federal law or in the business of lending money at a rate usurious under federal or state law.

(21) (a) 'Beneficial interest' means:

(i) The interest of a person as a beneficiary under a trust established under Title 11 RCW in which the trustee for the trust holds legal or record title to real property;

(ii) The interest of a person as a beneficiary under any other trust arrangement under which a trustee holds legal or record title to real property for the benefit of the beneficiary; or

(iii) The interest of a person under any other form of express fiduciary arrangement under which one person holds legal or record title to real property for the benefit of the other person.

(b) 'Beneficial interest' does not include the interest of a stockholder in a corporation or the interest of a partner in a general partnership or limited partnership.

(c) A beneficial interest shall be considered to be located where the real property owned by the trustee is located.

(22) 'Real property' means any real property or interest in real property, including but not limited to a land sale contract, lease, or mortgage of real property.

(23) (a) 'Trustee' means:

(i) A person acting as a trustee under a trust established under Title 11 RCW in which the trustee holds legal or record title to real property;

(ii) A person who holds legal or record title to real property in which another person has a beneficial interest; or

(iii) A successor trustee to a person who is a trustee under subsection (23)(a)(i) or (ii) of this section.

(b) 'Trustee' does not mean a person appointed or acting as:

(i) A personal representative under Title 11 RCW;

(ii) A trustee of any testamentary trust; or

(iii) A trustee of any indenture of trust under which a bond is issued.

NEW SECTION. Sec. 2. (1) A person who knowingly makes an extortionate extension of credit is guilty of a class B felony.

(2) In a prosecution under this section, if it is shown that all of the following factors are present in connection with the extension of credit, there is prima facie evidence that the extension of credit was extortionate:

(a) The repayment of the extension of credit, or the performance of any promise given in consideration thereof, would be unenforceable at the time the extension of credit was made through civil judicial processes against the debtor in the county in which the debtor, if a natural person, resided or in every county in which the debtor, if other than a natural person, was incorporated or qualified to do business.

(b) The extension of credit was made at a rate of interest in excess of an annual rate of forty-five percent calculated according to the actuarial method of allocating payments made on a debt between principal and interest, pursuant to which a payment is applied first to the accumulated interest and the balance is applied to the unpaid principal.

(c) At the time the extension of credit was made, the debtor reasonably believed that either of the following:

(i) One or more extensions of credit by the creditor had been collected or attempted to be collected by extortionate means, or the nonrepayment had been punished by extortionate means.

(ii) The creditor had a reputation for the use of extortionate means to collect extensions of credit or to punish the nonrepayment thereof.

(d) Upon the making of the extension of credit, the total of the extensions of credit by the creditor to the debtor then outstanding, including any unpaid interest or similar charges, exceeded one hundred dollars.

(3) In a prosecution under this section, if evidence has been introduced tending to show the existence of any of the circumstances described in subsection (2)(a) or (b) of this section, and direct evidence of the actual belief of the debtor as to the creditor's collection practices is not available, then for the purpose of showing the understanding of the debtor and the creditor at the time the extension of credit was made, the court may in its discretion allow evidence to be introduced tending to show the reputation as to collection practices of the creditor in any community of which the debtor was a member at the time of the extension.

NEW SECTION. Sec. 3. A person who knowingly advances money or property, whether as a gift, loan, investment, or pursuant to a partnership or profit-sharing agreement or otherwise, to any person, with reasonable grounds to believe that it is the intention of that person to use the money or property so advanced, directly or indirectly, for the purpose of making extortionate extensions of credit, is guilty of a class B felony.

NEW SECTION. Sec. 4. (1) A person who knowingly participates in any way in the use of any extortionate means to collect or attempt to collect any extensions of credit or to punish any person for the nonrepayment thereof, is guilty of a class B felony.

(2) In a prosecution under this section, for the purpose of showing an implicit threat as a means of collection, evidence may be introduced tending to show that one or more extensions of credit by the creditor were, to the knowledge of the person against whom the implicit threat was alleged to have been made, collected or attempted to be collected by extortionate means or that the nonrepayment was punished by extortionate means.

(3) In a prosecution under this section, if evidence has been introduced tending to show the existence at the time the extension of credit in question was made of the circumstances described in section 2(2)(a) or (b) of this act, and direct evidence of the actual belief of the debtor as to the creditor's collection practices is not available, then for the purpose of showing that words or other means of communication, shown to have been employed as a means of collection, in fact carried an express or implicit threat, the court may in its discretion allow evidence to be introduced tending to show the reputation of the defendant in any community of which the person against whom the alleged threat was made was a member at the time of the collection or attempt at collection.

NEW SECTION. Sec. 5. (1) A person who recklessly traffics in stolen property is guilty of trafficking in stolen property in the second degree.

(2) A person who knowingly initiates, organizes, plans, finances, directs, manages, or supervises the theft of property for sale to others, or who knowingly traffics in stolen property, is guilty of trafficking in stolen property in the first degree.

(3) Trafficking in stolen property in the second degree is a class C felony. Trafficking in stolen property in the first degree is a class B felony.

NEW SECTION, Sec. 6. (1) A person commits the offense of leading organized crime by:

(a) Intentionally organizing, managing, directing, supervising, or financing a criminal syndicate; or

(b) Knowingly inciting or inducing others to engage in violence or intimidation to promote or further the objectives of a criminal syndicate.

(2) A person shall not be convicted under this section on the basis of accountability as an accomplice unless the person aids or participates in violating this section in one of the ways specified.

(3) Leading organized crime is a class B felony.

NEW SECTION, Sec. 7. Whoever knowingly gives, promises, or offers to any professional or amateur baseball, football, hockey, polo, tennis, horse race, or basketball player or boxer or any player or referee or other official who participates or expects to participate in any professional or amateur game or sport, or to any manager, coach, or trainer of any team or participant or prospective participant in any such game, contest, or sport, any benefit with intent to influence the person to lose or try to lose or cause to be lost or to limit the person's or person's team's margin of victory or defeat, or in the case of a referee or other official to affect the decisions or the performance of the official's duties in any way, in a baseball, football, hockey, or basketball game, boxing, tennis, horse race, or polo match, or any professional or amateur sport or game, in which the player or participant or referee or other official is taking part or expects to take part, or has any duty or connection therewith, is guilty of a class C felony.

NEW SECTION, Sec. 8. (1) It is unlawful for a person who has knowingly received any proceeds derived, directly or indirectly, from a pattern of racketeering activity or through the collection of an unlawful debt to use or invest, whether directly or indirectly, any part of the proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.

(2) It is unlawful for a person, through a pattern of racketeering activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property.

(3) It is unlawful for a person to conspire or attempt to violate subsection (1) or (2) of this section.

(4) A knowing violation of subsection (1) or (2) of this section is a class B felony. A knowing violation of subsection (3) of this section is a class C felony.

NEW SECTION, Sec. 9. During the pendency of any criminal case charging an offense included in the definition of racketeering in section 1 of this act or a violation of section 8 of this act, the superior court may, in addition to its other powers, issue an order pursuant to section 10 (2) or (3) of this act. Upon conviction of a person for an offense included in the definition of racketeering or a violation of section 8 of this act, the superior court may, in addition to its other powers of disposition, issue an order pursuant to section 10 of this act.

NEW SECTION, Sec. 10. (1) A person who sustains injury to his or her person, business, or property by racketeering or by a violation of section 8 of this act may file an action in superior court for the recovery of treble damages and the costs of the suit, including reasonable investigative and attorney's fees. The attorney general or county prosecuting attorney may file an action: (a) On behalf of those persons injured or, respectively, on behalf of the state or county if the entity has sustained damages, or (b) to prevent, restrain, or remedy racketeering or a violation of section 8 of this act. An action for damages filed by or on behalf of an injured person, the state, or the county shall be for the recovery of treble damages and the costs of the suit, including reasonable investigative and attorney's fees. In an action filed to prevent, restrain, or remedy racketeering or a violation of section 8 of this act, the court may impose a civil penalty not exceeding two hundred fifty thousand dollars upon proof of the violation, in addition to awarding the cost of the suit, including reasonable investigative and attorney's fees.

(2) The superior court has jurisdiction to prevent, restrain, and remedy racketeering or a violation of section 8 of this act after making provision for the rights of all innocent persons affected by the violation and after hearing or trial, as appropriate, by issuing appropriate orders.

(3) Prior to a determination of liability, the orders may include, but are not limited to, entering restraining orders or prohibitions or taking such other actions, including the acceptance of satisfactory performance bonds, in connection with any property or other interest subject to damages, forfeiture, or other restraints pursuant to this section as the court deems proper.

(4) Following a determination of liability, the orders may include, but are not limited to:

(a) Ordering any person to divest himself or herself of any interest, direct or indirect, in any enterprise.

(b) Imposing reasonable restrictions on the future activities or investments of any person, including prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect the laws of this state, to the extent the Constitutions of the United States and this state permit.

(c) Ordering dissolution or reorganization of any enterprise.

(d) Ordering the payment of treble damages to those persons injured by racketeering or a violation of section 8 of this act.

(e) Ordering the payment of all costs and expenses of the prosecution and investigation of any offense included in the definition of racketeering in section 1 of this act or a violation of section 8 of this act, civil and criminal, incurred by the state or county as appropriate, to be paid to the antiracketeering revolving fund of the state or county which brings the action. If the county has not established an antiracketeering revolving fund, the payment shall be deposited in the county current expense fund.

(f) Ordering forfeiture to the general fund or antiracketeering revolving fund of the state or county as appropriate to the extent not already ordered to be paid in other damages:

(i) Any property or other interest acquired or maintained by a person in violation of section 8 of this act.

(ii) Any interest in, security of, claims against or property or contractual right of any kind affording a source of influence over any enterprise which a person has established, operated, controlled, conducted, or participated in the conduct of in violation of section 8 of this act.

(iii) All proceeds traceable to an offense included in the definition of racketeering in section 1 of this act and all moneys, negotiable instruments, securities, and other things of value used or intended to be used to facilitate commission of the offense.

(g) Ordering payment to the general fund or antiracketeering revolving fund of the state or county as appropriate of an amount equal to the gain a person has acquired or maintained through an offense included in the definition of racketeering.

(5) In addition to or in lieu of an action under this section, the attorney general or county prosecuting attorney may file an action for forfeiture to the general fund or antiracketeering revolving fund of the state or county as appropriate, to the extent not already ordered paid pursuant to this section, of:

(a) Any interest acquired or maintained by a person in violation of section 8 of this act.

(b) Any interest in, security of, claims against or property or contractual right of any kind affording a source of influence over any enterprise which a person has established, operated, controlled, conducted, or participated in the conduct of in violation of section 8 of this act.

(c) All proceeds traceable to an offense included in the definition of racketeering and all moneys, negotiable instruments, securities, and other things of value used or intended to be used to facilitate the commission of the offense.

(6) A defendant convicted in any criminal proceeding is precluded from subsequently denying the essential allegations of the criminal offense of which the defendant was convicted in any civil proceeding. For the purposes of this subsection, a conviction shall be deemed to have occurred upon a verdict or plea of guilty, notwithstanding the fact that an appeal has been or may be lodged upon any judgment and sentence entered thereon.

(7) The initiation of civil proceedings related to violations of any offense included in the definition of racketeering or a violation of section 8 of this act shall be commenced within seven years after actual discovery of the violation.

(8) The attorney general or county prosecuting attorney may, in a civil action brought pursuant to this section, file with the clerk of the superior court a certificate stating that the case is of special public importance. A copy of that certificate shall be furnished immediately by the clerk to the chief judge or presiding chief judge of the superior court in which the action is pending and, upon receipt of the copy, the judge shall immediately designate a judge to hear and determine the action. The judge so designated shall promptly assign the action for hearing, participate in the hearings and determination, and cause the action to be expedited.

(9) The standard of proof in actions brought pursuant to this section is the preponderance of the evidence test.

(10) A person other than the attorney general or county prosecuting attorney who files an action under this section shall serve notice and one copy of the pleading on the attorney general within thirty days after the action is filed with the superior court. The notice shall identify the action, the person, and the person's attorney. Service of the notice does not limit or otherwise affect the right of the state to maintain an action under this section or intervene in a pending action nor does it authorize the person to name the state or the attorney general as a party to the action.

(11) Except in cases filed by a county prosecuting attorney, the attorney general may, upon timely application, intervene in any civil action or proceeding brought under this section if the attorney general certifies that in the attorney general's opinion the action is of special public importance. Upon intervention, the attorney general may assert any available claim and is entitled to the same relief as if the attorney general had instituted a separate action.

(12) In addition to the attorney general's right to intervene as a party in any action under this section, the attorney general may appear as amicus curiae in any proceeding in which a

claim under this section has been asserted or in which a court is interpreting section 1, 8, 9, 11, or 12 of this act, or this section.

(13) A civil action under this section is remedial and does not limit any other civil or criminal action under this chapter or any other provision. Civil remedies provided under this section are supplemental and not mutually exclusive.

(14) In bringing a civil action under this chapter, the attorney general or county prosecuting attorney may grant a witness immunity in exchange for testimony in the civil case. The immunity bars the use or derivative use of the witness' testimony in any subsequent criminal prosecution of the witness except for perjury or false swearing committed during the course of the testimony.

NEW SECTION, Sec. 11. (1) (a) There is established in the custody of the state treasurer an antiracketeering revolving fund to be administered by the attorney general under the conditions and for the purposes provided by this subsection. Disbursements from the fund shall be on authorization of the attorney general. No appropriation is required for disbursements.

(b) Any prosecution and investigation costs, including attorney's fees, recovered for the state by the attorney general as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of racketeering, whether by final judgment, settlement, or otherwise, shall be deposited, as directed by a court of competent jurisdiction, in the fund established by this subsection. When the fund exceeds seven hundred fifty thousand dollars, all funds in excess of the seven hundred fifty thousand dollars shall be deposited in the state general fund.

(c) The moneys in the fund shall be used by the attorney general for the investigation and prosecution of any offense, within the jurisdiction of the attorney general, included in the definition of racketeering, including civil enforcement.

(2) (a) The county legislative authority may establish an antiracketeering revolving fund to be administered by the county prosecuting attorney under the conditions and for the purposes provided by this subsection. Disbursements from the fund shall be on authorization of the county prosecuting attorney. No appropriation is required for disbursements.

(b) Any prosecution and investigation costs, including attorney's fees, recovered for the state by the county prosecuting attorney as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of racketeering, whether by final judgment, settlement, or otherwise, shall be deposited, as directed by a court of competent jurisdiction, in the fund established by this subsection.

(c) The county legislative authority may prescribe a maximum level of moneys in the antiracketeering revolving fund. Moneys exceeding the prescribed maximum shall be transferred to the county current expense fund.

(d) The moneys in the fund shall be used by the county prosecuting attorney for the investigation and prosecution of any offense, within the jurisdiction of the county prosecuting attorney, included in the definition of racketeering, including civil enforcement.

NEW SECTION, Sec. 12. (1) The state, upon filing a civil action under section 10 of this act, may file in accordance with this section a racketeering lien. A filing fee or other charge is not required for filing a racketeering lien.

(2) A racketeering lien shall be signed by the attorney general or the county prosecuting attorney representing the state in the action and shall set forth the following information:

(a) The name of the defendant whose property or other interests are to be subject to the lien;

(b) In the discretion of the attorney general or county prosecuting attorney filing the lien, any aliases or fictitious names of the defendant named in the lien;

(c) If known to the attorney general or county prosecuting attorney filing the lien, the present residence or principal place of business of the person named in the lien;

(d) A reference to the proceeding pursuant to which the lien is filed, including the name of the court, the title of the action, and the court's file number for the proceeding;

(e) The name and address of the attorney representing the state in the proceeding pursuant to which the lien is filed;

(f) A statement that the notice is being filed pursuant to this section;

(g) The amount which the state claims in the action or, with respect to property or other interests which the state has requested forfeiture to the state or county, a description of the property or interests sought to be paid or forfeited;

(h) If known to the attorney general or county prosecuting attorney filing the lien, a description of property which is subject to forfeiture to the state or property in which the defendant has an interest which is available to satisfy a judgment entered in favor of the state; and

(i) Such other information as the attorney general or county prosecuting attorney filing the lien deems appropriate.

(3) The attorney general or the county prosecuting attorney filing the lien may amend a lien filed under this section at any time by filing an amended racketeering lien in accordance with this section which identifies the prior lien amended.

(4) The attorney general or the county prosecuting attorney filing the lien shall, as soon as practical after filing a racketeering lien, furnish to any person named in the lien a notice of the filing of the lien. Failure to furnish notice under this subsection does not invalidate or otherwise affect a racketeering lien filed in accordance with this section.

(5) A racketeering lien is perfected against interests in personal property by filing the lien with the department of licensing. A racketeering lien is perfected against interests in real property by filing the lien with the county auditor of the county in which the real property is located. The state may give such additional notice of the lien as it deems appropriate.

(6) The filing of a racketeering lien in accordance with this section creates a lien in favor of the state in:

(a) Any interest of the defendant, in real property situated in the county in which the lien is filed, then maintained, or thereafter acquired in the name of the defendant identified in the lien;

(b) Any interest of the defendant, in personal property situated in this state, then maintained or thereafter acquired in the name of the defendant identified in the lien; and

(c) Any property identified in the lien to the extent of the defendant's interest therein.

(7) The filing of a racketeering lien under this section is notice to all persons dealing with the person or property identified in the lien of the state's claim. The lien created in favor of the state in accordance with this section is superior and prior to the claims or interests of any other person, except a person possessing:

(a) A valid lien perfected prior to the filing of the racketeering lien;

(b) In the case of real property, an interest acquired and recorded prior to the filing of the racketeering lien; or

(c) In the case of personal property, an interest acquired prior to the filing of the racketeering lien.

(8) Upon entry of judgment in favor of the state, the state may proceed to execute thereon as in the case of any other judgment, except that in order to preserve the state's lien priority as provided in this section the state shall, in addition to such other notice as is required by law, give at least thirty days' notice of the execution to any person possessing at the time the notice is given, an interest recorded subsequent to the date the state's lien was perfected.

(9) Upon the entry of a final judgment in favor of the state providing for forfeiture of property to the state, the title of the state to the property:

(a) In the case of real property or a beneficial interest in real property, relates back to the date of filing the racketeering lien with the county auditor of the county in which the real property is located or, if no racketeering lien is filed, then to the date of recording of the final judgment or the abstract thereof with the county auditor of the county in which the real property is located; or

(b) In the case of personal property or a beneficial interest in personal property, relates back to the date the personal property was seized by the state, or the date of filing of a racketeering lien in accordance with this section, whichever is earlier, but if the property was not seized and no racketeering lien was filed then to the date the final judgment was filed with the department of licensing and, if the personal property is an aircraft, with the federal aviation administration.

(10) This section does not limit the right of the state to obtain any order or injunction, receivership, writ, attachment, garnishment, or other remedy authorized under section 10 of this act or appropriate to protect the interests of the state or available under other applicable law.

NEW SECTION. Sec. 13. A trustee who receives written notice that a lien notice has been recorded or a civil proceeding or criminal proceeding has been instituted against any person for whom the trustee holds legal or record title to real property, shall immediately furnish to the attorney general or county prosecuting attorney the following:

(a) The name and address of the person, as known to the trustee;

(b) To the extent known to the trustee, the name and address of all other persons for whose benefit the trustee holds title to the real property; and

(c) If requested by the attorney general or county prosecuting attorney, a copy of the trust agreement or other instrument under which the trustee holds legal or record title to the real property.

(2) The recording of a lien notice shall not constitute a lien on the record title to real property owned by a trustee at the time of recording except to the extent that trustee is named in the lien notice. The attorney general or county prosecuting attorney may bring a civil proceeding in superior court against the trustee to recover from the trustee the amounts set forth in section 15 of this act. In addition to amounts recovered under section 15 of this act, the attorney general or county prosecuting attorney also may recover its investigative costs and attorneys' fees.

(3) The recording of a lien notice does not affect the use to which real property or a beneficial interest owned by the person named in the lien notice may be put or the right of the person to receive any avails, rents, or other proceeds resulting from the use and ownership except the sale of the property, until a judgment of forfeiture is entered.

(4) This section does not apply to any conveyance by a trustee under a court order unless the court order is entered in an action between the trustee and the beneficiary.

(5) Unless a trustee receives written notice that a person having a beneficial interest in the trust is named in a lien notice or is otherwise a defendant in a civil proceeding, this section does not apply to:

(a) A conveyance by a trustee required under the terms of any trust agreement if the trust agreement is a matter of public record before a lien notice is filed; or

(b) A conveyance by a trustee to all persons who have a beneficial interest in the trust.

NEW SECTION. Sec. 14. (1) The term of a lien notice shall be six years from the date the lien notice is recorded. If a renewal lien notice is filed by the attorney general or county prosecuting attorney, the term of the renewal lien notice shall be for six years from the date the renewal lien notice is recorded. The attorney general or county prosecuting attorney is entitled to only one renewal of the lien notice.

(2) The attorney general or county prosecuting attorney filing the lien notice may release in whole or in part any lien notice or may release any specific property or beneficial interest from the lien notice upon such terms and conditions as the attorney general or county prosecuting attorney considers appropriate. A release of a lien notice executed by the attorney general or county prosecuting attorney shall be recorded in the official records in which the lien notice covering that property was recorded. No charge or fee may be imposed for recording any release of a lien notice.

(3) (a) A person named in the lien notice may move the court in which the civil proceeding giving rise to the lien notice is pending for an order extinguishing the lien notice.

(b) Upon the motion of a person under (a) of this subsection, the court immediately shall enter an order setting a date for hearing, which shall be not less than five nor more than ten days after the motion is filed. The order and a copy of the motion shall be served on the attorney general or county prosecuting attorney within three days after the entry of the court's order. At the hearing, the court shall take evidence on the issue of whether any property or beneficial interest owned by the person is covered by the lien notice or otherwise subject to forfeiture under section 12 of this act. If the person shows by a preponderance of the evidence that the lien notice is not applicable to the person or that any property or beneficial interest owned by the person is not subject to forfeiture under section 12 of this act, the court shall enter a judgment extinguishing the lien notice or releasing the property or beneficial interest from the lien notice.

(c) The court may enter an order releasing from the lien notice any specific real property or beneficial interest if, at the time the lien notice is recorded, there is pending an arms length sale of the real property or beneficial interest in which the parties are under no undue compulsion to sell or buy and are able, willing, and reasonably well informed and the sale is for the fair market value of the real property or beneficial interest and the recording of the lien notice prevents the sale of the property or interest. The proceeds resulting from the sale of the real property or beneficial interest shall be deposited with the court, subject to the further order of the court.

(d) At the hearing held pursuant to (b) of this subsection, if the court releases from the lien notice any property or beneficial interest, the person shall post security equal to the fair market value of the property or beneficial interest owned by the person.

NEW SECTION. Sec. 15. (1) If a trustee conveys title to real property for which, at the time of the conveyance, a lien notice has been recorded in the county in which the real property is situated and the notice names a person who the trustee knows holds a beneficial interest in the trust, the trustee shall be liable to the state for the greater of:

(a) The amount of proceeds received by the person named in the lien notice as a result of the conveyance;

(b) The amount of proceeds received by the trustee as a result of the conveyance and distributed by the trustee to the person named in the lien notice; or

(c) The fair market value of the interest of the person named in the lien notice in the real property so conveyed.

(2) If the trustee conveys the real property for which a lien notice has been recorded at the time of the conveyance and holds the proceeds that would otherwise be paid or distributed to the beneficiary or at the direction of the beneficiary or beneficiary's designee, the trustee's liability shall not exceed the amount of the proceeds so held so long as the trustee continues to hold the proceeds.

NEW SECTION. Sec. 16. A trustee who fails to comply with section 13(1) of this act is guilty of a class C felony.

NEW SECTION. Sec. 17. (1) A custodian of the records of a financial institution shall, at no expense to the financial institution, produce for inspection or copying the records in the custody of the financial institution when requested to be inspected by the attorney general or a county prosecuting attorney, provided the person requesting the information has served a subpoena issued by a court or obtained a court order for the information. The attorney general or a county prosecuting attorney or any peace officer or other person designated by the county prosecuting attorney or the attorney general shall be prohibited from using or releasing the

information except in the proper discharge of official duties. If directed by the court in the subpoena or court order, neither the custodian nor any other employee of the institution shall disclose to the institution's customer the fact that the customer's records have been examined or copied. The furnishing of records in compliance with this section by a custodian of records is a bar to civil or criminal liability against the custodian or financial institution in any action brought alleging violation of the confidentiality of the records.

(2) Disclosure by the attorney general, county prosecuting attorney, or any peace officer designated by the attorney general or the county prosecuting attorney of information obtained under this section, except in the proper discharge of official duties, is a misdemeanor.

(3) Disclosure by the custodian or employee of the financial institution contrary to subsection (1) of this section is a misdemeanor.

(4) This section does not preclude the use of any other legally authorized means of obtaining the information.

Sec. 18. Section 9A.04.080, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 129, Laws of 1982 and RCW 9A.04.080 are each amended to read as follows:

Prosecutions for the offenses of murder, and arson where death ensues, may be commenced at any period after the commission of the offense; for offenses the punishment of which may be imprisonment in a state correctional institution, committed by any public officer in connection with the duties of his office or constituting a breach of his public duty or a violation of his oath of office, and arson where death does not ensue, within ten years after their commission; for violations of RCW 9A.44.070, 9A.44.080, and 9A.44.100(1)(b), within five years after their commission; for violations of section 6 or 8 of this 1984 act, within six years after their commission; for all other offenses the punishment of which may be imprisonment in a state correctional institution, within three years after their commission; two years for gross misdemeanors; and for all other offenses, within one year after their commission: PROVIDED, That any length of time during which the party charged was not usually and publicly resident within this state shall not be reckoned within the one, two, three, five, and ten years respectively: AND FURTHER PROVIDED, That where an indictment has been found, or complaint or an information filed, within the time limited for the commencement of a criminal action, if the indictment, complaint or information be set aside, the time of limitation shall be extended by the length of time from the time of filing of such indictment, complaint, or information, to the time such indictment, complaint, or information was set aside.

NEW SECTION. Sec. 19. Sections 1 through 17 of this act shall constitute a new chapter in Title 9A RCW.

NEW SECTION. Sec. 20. 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. 21. This act shall take effect on July 1, 1985."

Signed by Senators Talmadge, Shinpoch; Representatives Wang, Armstrong, Padden.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4435.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4435 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4435 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Altmeyer, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanderson, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Stratton, Sutherland, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Wcik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Clayton - 1.

Engrossed Substitute Senate Bill No. 4435 as amended by 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 SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 1163, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 2, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1163, modifying the laws relating to consumer credit transactions, have had the same under consideration, and we recommend that the Senate amendment be adopted with the following amendment:

On page 15, line 37 of the Senate amendment after "transmit" strike everything down through "transaction" on page 16, line 2 and insert "a statement to the card issuer through the normal channels established by the card issuer for the transmittal of such statements"

Signed by Senators Bender, Deccio, Moore; Representatives Lux, Schmidt, Zellinsky.

MOTION

Mr. Lux moved that the House adopt the report of the Free Conference Committee on Substitute House Bill No. 1163.

Representatives Lux and Schmidt spoke in favor of the motion.

POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Zellinsky.

Mr. Zellinsky: "Won't the interest rate charged on this account really exceed the eighteen percent since cardmembers are also paying an annual fee for their American Express Card?"

Mr. Lux: "No interest is charged on purchases charged on the American Express Card. The card is still a charge card and not a credit card with all charges payable in full each month. The annual fee is for the privilege of using the card and for a whole host of benefits of which the separate Sign & Travel Account is one. An annual percentage rate of eighteen percent is only assessed on charges deferred on the Sign & Travel Account."

Mr. Lux spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1163 as amended by the Free Conference Committee.

Mr. Barnes spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1163 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland,

Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Barnes - 1.

Substitute House Bill No. 1163 as amended by 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 SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4788, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4788, authorizing the creation of habitat buffer zone to protect endangered and threatened species, have had the same under consideration, and we recommend that the House amendment not be adopted and the bill be amended as follows:

On page 2, beginning on line 4 after "legislature," strike all of the material down to and including "committee." on line 11 and insert "The select committee shall consist of twelve members, three each from the majority and minority caucuses of the senate and the majority and minority caucuses of the house of representatives, appointed by the president of the senate and the speaker of the house of representatives upon the recommendation of the respective caucuses."

Signed by Senators Hughes, Woody, Haley; Representatives Rust, Fisher, Allen.

MOTION

On motion of Ms. Rust, the House adopted the report of the Free conference Committee on Substitute Senate Bill No. 4788.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute Senate Bill No. 4788 as amended by the Free Conference Committee.

Representative Allen spoke against passage of the bill, and Representative Rust spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4788 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 58; nays, 40; excused, 0.

Voting yea: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 58.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, Johnson, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Luven, Vander Stoep, West, Williams J, Wilson, Zellinsky - 40.

Substitute Senate Bill No. 4788 as amended by 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 Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

Mr. Heck moved that the Rules committee be relieved of ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4831 as amended by the House, and the bill be placed on the third reading calendar for today.

Mr. Barrett spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:00 P.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

MESSAGES FROM THE SENATE

March 5, 1984

Mr. Speaker:

The Senate concurred in the House amendment to page 1, line 27 of ENGROSSED SENATE BILL NO. 4275, and has passed the bill with the two House amendments.

Bill Gleason, Assistant Secretary.

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4435, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

March 5, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1138,
SUBSTITUTE HOUSE BILL NO. 1262,
HOUSE JOINT MEMORIAL NO. 16,
SECOND SUBSTITUTE SENATE BILL NO. 3815,
SENATE BILL NO. 4228,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1178,
HOUSE BILL NO. 1219,
SUBSTITUTE HOUSE BILL NO. 1275,
HOUSE BILL NO. 1319,
SUBSTITUTE HOUSE BILL NO. 1531,
SECOND SUBSTITUTE SENATE BILL NO. 3815,
SENATE BILL NO. 4228.

MESSAGE FROM THE SENATE

March 3, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 1133, and has granted the committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 3, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 1133, specifying requirements for political advertising, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Hughes, Newhouse; Representatives Pruitt, Fisch, Miller.

MOTION

On motion of Mr. Pruitt, the House adopted the report of the Conference Committee on Engrossed House Bill No. 1133, and granted the committee the powers of Free Conference.

MESSAGE FROM THE SENATE

February 26, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 1386, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 2, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 1386, modifying provisions relating to third party actions for industrial injuries, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Newhouse, Hughes; Representatives R. King, McMullen, Betrozoff.

MOTION

On motion of Ms. Belcher, the report of the Conference Committee on Engrossed House Bill No. 1386 was adopted, and the committee was granted the powers of Free Conference.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652 with the following amendments:

On page 3, beginning on line 20 after "include" strike "": (a) Fireworks" and insert "fireworks"

On page 3, beginning on line 22 after "rockets" strike all material down to and including "section" on line 25.

On page 16, after line 17 insert the following:

"NEW SECTION. Sec. 38. It is unlawful for any person, firm, partnership or corporation to print or broadcast any advertisement for the sale of fireworks in violation of this chapter."

Renumber the following sections consecutively.

On page 16, after line 17 add a new section as follows:

"NEW SECTION, Sec. 38. In an action based on fault seeking to recover damages for injury or death to person or harm to property resulting from the sale of fireworks in violation of this chapter, no contributory fault is chargeable to the claimant to diminish an award of compensatory damages for any such injury, death or harm."

Renumber the remaining sections consecutively.

On page 16, beginning on line 24 strike the remainder of the bill and insert the following:

"NEW SECTION, Sec. 40. Sections 2, 3, and 38 of this act shall take effect on January 1, 1985. All other sections 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Locke moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1652.

Mr. Locke spoke in favor of the motion, and Mr. Wilson spoke against it.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Jacobsen.

Representative Jacobsen: "Representative Locke, one of the Senate amendments deleted subsection 2(b) of section 2, which prohibited combinations from being legal fireworks. Was it the intent of the Senate and is it the intent of the bill which you wrote to allow combinations to continue to be legal fireworks, specifically firecrackers?"

Mr. Locke: "That was not the intent of the Senate or the clear intent of the bill. The Senate Commerce & Labor Committee heard testimony indicating confusion on subsection 2(b) of section 2 of the bill. That subsection banned combinations where there was included in that combination, 'an item described in, or similar in effect to an item described in subsection (2)(a) of this section.' Subsection (2)(a) banned missiles, skyrockets, firecrackers, etc. As related to me by the Senate committee staff, the industry was particularly concerned about the phrase 'similar in effect to.' I attended the Senate committee hearing. The witnesses specifically asked whether or not an item was prohibited just because it made a noise. In other words, 'similar in effect to firecrackers.' The answer, of course, was 'No,' because certain fireworks, even safe and sane fireworks, make noise and are specifically permitted. The Senate committee staff felt that subsection 2(b) was not needed given the confusion because the ban on firecrackers is absolute. A firecracker, whether alone or in combination with a safe and sane item is still a firecracker and still banned under the bill passed by the House and amended by the Senate.

"Senator Vognild, who is the chairman of the Senate Commerce & Labor Committee, offered the amendment deleting this subsection (2)(b) in the committee. Senator Vognild, the Senate committee staff and myself and the House committee staff have discussed this particular issue and used missiles and skyrockets as an illustration. Let me briefly share that illustration with you. Missiles and skyrockets are specifically banned in this state. No one, not even the industry, has ever claimed that a combination containing a safe and sane item and a missile or skyrocket was ever legal. Just as missiles and skyrockets are illegal, no matter what the configuration, so are firecrackers illegal, even as a component of a combination with a safe and sane item or as a component of a mine or shell.

"Hearing the Senate debate on final passage of Engrossed Substitute House Bill No. 1652, a question and answer involving Senator Vognild was to have taken place. The question clarified this particular issue, but that question and answer did not take place because Senator Vognild misplaced it along with an amendment he planned to offer to improve the amendment banning advertisement, which amendment he had successfully offered in the Senate committee. With his permission I now read that copy of that question and answer furnished to me:

"Question: Senator Vognild, would you clarify a point for me? As I understand it, some fireworks items such as mines and shells contain firecrackers as a part of their component. Is it correct that this type of combination would be unlawful?"

"Answer: That is correct. This bill would make all firecrackers unlawful whether they were used alone or in combination with other items.

"In summary, a firework is not banned under ESHB 1652 just because it makes noise. Not everything making a noise is a firecracker. 'Firecrackers' are specifically defined in federal law and the Washington Administrative Code, but items, whether mines or shells or combinations, containing firecrackers and other illegal fireworks are banned. Industry will not be able to tie together a safe and sane item with one or one hundred firecrackers and then slyly pass it off as a legal item."

Ms. Brough spoke in favor of the bill, and Mr. R. King spoke against it.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Appelwick.

Mr. Appelwick: "Representative Locke, I'm concerned about the effect of section 7(4) which reads: 'Any local rules adopted by local authorities that are more restrictive than state law as to the types of fireworks that may be sold shall have an effective date no sooner than one year after their adoption.' I guess what I need to understand is, is this a change in the law? To the extent of the deferral by one year, that is, is this changing the regulation, the state regulation, of local laws pertaining to the sale of fireworks?"

Mr. Locke: "Yes, Representative Appelwick, that particular section says that cities or towns would have to wait one year if they were to make a law more restrictive as to the sale of items. It in no way affects the authority of local governments to regulate possession or use of any fireworks item, including firecrackers."

Mr. Appelwick: "It only affects sales?"

Mr. Locke: "It only affects sales."

Representatives Appelwick, J. King and Tilly spoke in favor of the motion.

Mr. Wilson again opposed the motion to concur, and Mr. Locke again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 1652, and the motion was carried by the following vote: Yeas, 71; nays, 26; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Barnes, Bond, Chandler, Charnley, Clayton, Dickie, Fuhrman, Haisan, Hankins, Isaacson, King P, King R, Mitchell, Nealey, Nelson G, Padden, Rust, Schmidt, Scott, Smith C, Smith L, Sutherland, West, Williams B, Williams J, Wilson - 26.

Absent: Representative Lewis - 1.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1652 as amended by the Senate.

Representatives Locke, Patrick, Zellinsky, Braddock, Taylor and Brough spoke in favor of passage of the bill, and Representatives Wilson, Gallagher, Clayton, Sanders and Bond spoke against it.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Locke, because of the Senate action in adding a new section, it states that in an action based on fault speaking to recovered damages for injuries to persons or harm to property resulting from the sale of fireworks and violation of this chapter, and it goes on to talk about contributory fault,

etc. Will this measure, if passed, now allow a person in the State of Washington who happens to have purchased fireworks--say firecrackers--from an Indian reservation, to be in a position to have a claim, file suit, against the person or persons who sold those fireworks from the Indian reservation if there were injury to persons or property?"

Mr. Locke: "The section you quoted, in the bill itself, would not apply to that situation. Instead, I believe, that there would be a course of action under federal law and under state law, but not emanating from that section which you read, which would allow a cause of action in some cases against fireworks sold from Indian reservations that have resulted in injuries. There would have to be a fireworks, I believe, that violates federal law. There are some federal laws that allow different things, and so if that item sold or purchased violated federal law, I believe there would be some course of action."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 19; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Galloway, Garrett, Grimm, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith L, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Bond, Chandler, Clayton, Dickie, Fuhrman, Gallagher, Halsan, Hankins, Isaacson, King R, Mitchell, Nealey, Padden, Scott, Smith C, Sutherland, West, Williams B, Wilson - 19.

Absent: Representative Lewis - 1.

Engrossed Substitute House Bill No. 1652 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.

REPORT OF CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4448, authorizing certain minor health care services, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators McManus, Deccio, Moore; Representatives Kreidler, McClure, Mitchell.

MOTION

On motion of Mr. Dellwo, the report of the Conference Committee was adopted, and the committee was granted powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 4619, modifying procedures for filling vacancies in the office of fire commissioner, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Thompson, Woody, McCaslin; Representatives Moon, Haugen, Ballard.

MOTION

On motion of Mr. Moon, the report of the Conference Committee was adopted, and the committee was granted powers of Free Conference.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
HOUSE BILL NO. 939.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 105 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 97, Laws of 1965 ex. sess. as last amended by section 36, chapter 78, Laws of 1980 and RCW 77.12.201 are each amended to read as follows:

The legislative authority of a county may elect, by giving written notice to the director and the treasurer prior to January 1st of any year, to obtain for the following year an amount in lieu of real property taxes on game lands ~~((equal to that which would be paid on similar parcels of real property situated in the county))~~ as provided in RCW 77.12.203. Upon the election, all fines and forfeitures received by the county during that year under RCW 77.12.170 shall be deposited in the state treasury to be credited to the state game fund. The election shall continue until the department is notified differently prior to January 1st of any year.

Sec. 2. Section 3, chapter 97, Laws of 1965 ex. sess. as amended by section 37, chapter 78, Laws of 1980 and RCW 77.12.203 are each amended to read as follows:

Notwithstanding RCW 84.36.010 or other statutes to the contrary, the director shall pay by April 30th of each year on game lands in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes equal to that amount paid on similar parcels of ((real property subject to real property taxes)) open space land taxable under chapter 84.34 RCW or the greater of seventy cents per acre per year or the amount paid in 1984 plus an additional amount for control of noxious weeds equal to that which would be paid if such lands were privately owned. This amount shall not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, tidelands, or public fishing areas of less than one hundred acres.

'Game lands,' as used in this section and RCW 77.12.201, means those tracts one hundred acres or larger owned in fee by the department and used for wildlife habitat and public recreational purposes. All lands purchased for wildlife habitat, public access or recreation purposes with federal funds in the Snake River drainage basin shall be considered game lands regardless of acreage.

~~((The director has the same rights of appeal and adjustment of taxes or assessments as do other owners of real property:~~

~~Upon election by the county legislative authority to receive an amount in lieu of real property taxes, the county assessor shall enter the property on the tax rolls and the department shall pay the amount due as others pay taxes on their real property in the county:))~~

NEW SECTION. Sec. 3. This act takes effect on January 1, 1985."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Belcher moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 105.

Ms. Belcher spoke in favor of the motion.

POINT OF INQUIRY

Mr. Mitchell yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Mitchell, on page 2 of the Senate amendment, on line 17, I'm concerned about what the words mean, 'or the amount paid in 1984.' When we are talking about in-lieu-of moneys that the Game Department pays, what is your understanding? Does that mean so many cents per acre they are paying or does it mean the total tax bill for a parcel of land?"

Mr. Mitchell: "My interpretation is that it would be seventy cents per acre per parcel."

POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Belcher, I'm concerned about what the words mean when it talks about the amount paid in 1984. Does that refer to the cents per acre they are paying on all their parcels, or does it mean the total amount of money?"

Ms. Belcher: "That refers to the total amount of money that was paid and that was specifically included so that those counties that are currently receiving large payments from the Game Department would not lose by going to a seventy cents per acre amount. They would continue to receive a payment not less than the amount they are currently being paid for their taxes from the Game Department, so it would, in some cases, be much more than seventy cents per acre."

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 105 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 105 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 Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4416, by Committee on Commerce & Labor (originally sponsored by Senators Newhouse, Vognlid, Quigg, McManus, Moore and McDonald; by Department of Employment Security request)

Modifying provisions relating to unemployment insurance.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 52nd Day, February 29, 1984.)

The Speaker stated the question before the House to be the amendments by Representative Ballard and others to page 12.

Mr. Ballard spoke in favor of the amendments.

With the consent of the House, Mr. Ballard withdrew the amendments.

POINT OF PERSONAL PRIVILEGE

Mr. Bond: "Mr. Speaker and members of the House, being one of the sponsors of these amendments, I want to take a few brief moments to explain a few things about them. I'm very disappointed that it has been withdrawn. My part in sponsoring it had absolutely no consideration that it was put up there as a bargaining device or anything else. My purpose in sponsoring it was because my constituents want this. They consider unemployment compensation benefits to strikers to be a major obscenity in state law in this state. I have talked to a number of them over the last three or four days when all the scurrying around has been going on and they are very supportive. A number of businessmen, of which I am one--by the way, losing this bill will probably cost me a lot of money and I considered that as

one of the risks and decided that it was a reasonable risk--most of them felt the same way. I understand the difficulties and what appears to be the impossibility of getting this amendment attached to the bill. Therefore, I concede to withdrawing it, but I want to state that any one of you in virtually every district if you ask in a survey if they think that it is appropriate for people who voluntarily work to go on strike to then be rewarded by the taxpayer with unemployment benefits, they would tell you very strongly that they oppose that. That's the reason why this amendment should be adopted."

POINT OF PERSONAL PRIVILEGE

Mr. Van Dyken: "I do not wish to address the merits or the demerits of the issue surrounding the controversy. All of us have feelings on that. We are entitled to those. I would like to speak about the impact of the process. I have a great respect for this institution and for this body. This is, by nature, not an executive branch, but a legislative branch and that implies a particular deliberative process in which we go through committees; we try to perfect; we add amendments; we take things into consideration. That perfecting deliberative process is part of what makes this a good and proper representative body. When we erode that opportunity, we erode the legitimacy of this body and that concerns me. I have been on this floor and I have opposed amendments in a delicately balanced bill because I was afraid of what the other body might do to it, and I have urged members to vote 'no,' but it's a significant step to say that we should not even vote on it. I stood here and watched a bill that I cared about very deeply (the ethics bill some years back) -- watched the amendatory process love the bill to death and I grieved over that, but I would not say that we should prohibit the amendatory process despite its errant political occasional runs. My concern is not so much over whether or not we offer this particular amendment, although I feel strongly about that; I have a deeper concern about the privilege of this body to consider public policy on the floor; take tough votes if necessary, yes, even tough political votes, in order to defend the higher principals on even the delicately balanced package, but I hope this does not repeat itself or become customary in this body."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King, Clayton and Hastings spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Patrick.

Mr. Patrick: "Representative Belcher, is it the intent of subsection 2(e) of section 9 to require an employer signature before an employer contact will count as one of the five required contacts in order for a claimant to remain eligible for benefits?"

Ms. Belcher: "No, the intent is to provide for an employer signature on forms the claimant must use to verify work search. The forms will also give employers an opportunity to comment on the claimant's preparedness for work. In order to avoid being too burdensome on employers and on claimants, a signature will not be required in all circumstances, such as when an employer may refuse to sign or is unavailable to sign. In such circumstances the requirement of a signature could lead to an unjustifiable denial of benefits. The claimant still has to list the contact and it is subject to verification by the department."

Representatives G. Nelson, Heck and Bond spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on final passage of Substitute Senate Bill No. 4416, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux,

McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B. Williams J. Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 4416, having received the 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 BILL NO. 4831 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Talmadge, Kiskaddon, Hughes, Bluechel, Rasmussen, Williams, Pullen, Wojahn, Goltz, Bender, Hurley, Hemstad, Fuller and Zimmerman)

Establishing a program for disclosure of information regarding hazardous substances in the workplace.

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

Representatives Rust and Patrick spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Rust, is it your intent that legend or prescription drugs or controlled substances held in the inventory and dispensed by a licensed pharmacist at the retail level be included in the list of hazardous substances developed by the Department of Labor and Industries in accordance with section 5 of this bill?"

Ms. Rust: "Representative Mitchell, legend or prescription drugs or controlled substances are not explicitly included in section 5. Your question arises from the language which states that the department could include, on the hazardous substance list, any other substance that the department--based on documented scientific evidence--determined may pose a threat to the health and safety of an employee. There is no intent to include substances such as legend or prescription drugs and controlled substances which already have extensive regulation designed to protect the health and safety of the employees as well as the retail customers."

Mr. Mitchell spoke in favor of passage of the bill, and Representatives Struthers, Isaacson and C. Smith spoke against it.

POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Walk.

Mr. Walk: "As Chairman of the House Transportation Committee, I am concerned as to the application of this law to transporters of hazardous substances. There are two distinct types of employees in the transportation industry. One group would be people in the shop who might be dealing with spray painting of vehicles or using cleaning solvents in working with engine parts or, in various other ways, working as the user or consumer of the commodities involved. The other group is comprised of those engaged exclusively in the transportation of these materials and who are not exposed to the materials as users or consumers. Those people employed in transporting as drivers, engineers and pilots are already regulated and protected by the Federal Department of Transportation, Washington Utilities and Transportation Commission, or the International Maritime Organization of the United Nations.

"Representative Rust, I have two questions: First, I believe you have indicated previously the definition of 'work place' contained in the law excludes moving vehicles through its wording 'work place' means an establishment 'at one geographical location containing one or more work areas.' Is this correct?"

"Second, is it the intent of this bill that the 'extensive education and training programs' to be provided to these individuals directly involved in the transportation of hazardous substances be directed to their response procedures to accidents resulting in spillage of these commodities in transport, rather than attempting to require a knowledge of the many thousands of items which they could, conceivably, be required to transport during the normal course of their work?"

Ms. Rust: "That is correct, Representative Walk."

POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Brekke, in section 24, subsection 2 of page 35, line 34, the Department of Labor and Industries is authorized to adopt a fee schedule. Concern has been expressed that the bill does not expressly require public notice of hearings. For the record, will you assure me that it is the intent of the legislature that notice will be required by the department if they adopt a fee schedule?"

Ms. Brekke: "Yes, it is certainly the intent, I believe, on behalf of the legislature, and certainly of the committee members. My reassurance from Labor and Industries' representative that they will, in fact, use the Administrative Code to do that."

Mr. Van Dyken: "Section 24, page 35, line 34 establishes the worker and community right-to-know fund and authorizes the department to establish a fee schedule to raise money for the fund. Expenditure from the fund is subject to legislative appropriation. For the record, can you assure me that it is the intent of the legislature that the department shall set these schedules to bring in only as much money as the legislature appropriates to the department? Furthermore, can you assure me that the legislature does not intend that the fee schedule will generate a surplus in the fund in excess of the annual cost of administering the program?"

Ms. Brekke: "I believe again that the legislature has no intention of socking money away in any fund that is not being used and also it is the assurance by the representative of Labor and Industries that they do not intend to set a fee higher than they have asked to be appropriated."

Representatives Van Dyken, Sutherland and Pruitt spoke in favor of the bill, and Representatives Dickie and Clayton spoke against it.

Mr. Padden demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 4831 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 21; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Ballard, Betrozoff, Bond, Cantu, Chandler, Clayton, Dickie, Ellis, Fuhrman, Hastings, Lewis, Nealey, Padden, Prince, Sanders, Smith C, Struthers, Tilly, Van Luven, West, Williams J - 21.

Engrossed Second Substitute Senate Bill No. 4831 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.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1984

Mr. Speaker:

The Senate has passed REENGROSSED SUBSTITUTE HOUSE BILL NO. 480 with the following amendments:

On page 6, line 20 after "fund" strike everything through "chapter" on line 22.

On page 7, line 35 reinsert all the stricken language through "((regulations:))" on page 8, line 3, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Stratton, the House concurred in the Senate amendments to Reengrossed Substitute House Bill No. 480.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Reengrossed Substitute House Bill No. 480 as amended by the Senate.

Ms. Stratton spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 480 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Reengrossed Substitute House Bill No. 480 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.

MESSAGE FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate insists on its position on ENGROSSED SENATE BILL NO. 4407 and the House amendments thereto, and again asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Grimm, the House insisted on its position on Engrossed Senate Bill No. 4407, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 880, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 5, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 880, regulating payment procedures for certain health care providers not participants in a health services contract, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Bender, Moore, Sellar; Representatives Kreidler, Lewis, Niemi.

MOTION

On motion of Mr. Kreidler, the House adopted the report of the Conference Committee on House Bill No. 880, and granted the request of the committee for the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 5, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193, modifying provisions of the Washington clean air act, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Hughes, Talmadge; Representatives Rust, Dellwo, Patrick.

MOTION

On motion of Ms. Rust, the House adopted the report of the Conference Committee on Engrossed Second Substitute Senate Bill No. 3193, and granted the committee the powers of Free Conference.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-168, by Representatives Belcher and Kreidler

WHEREAS, Julie Brown qualified for the 1980 Olympics in both the 800 and 1500 meter running events and holds the world marathon record for an all-women event; and

WHEREAS, Julie Brown is the second fastest of over 200 runners who have qualified for the first-ever Women's Olympic Marathon Trials, an event to be held in Olympia, Washington on May 12, 1984; and

WHEREAS, She is in Olympia today to view the course and assist in promoting an event which will bring tens of thousands of people to Thurston County; and

WHEREAS, Julie Brown sets a fine example for young women and men and demonstrates that athletic excellence and international competition between women and men of all nations are healthy and productive activities;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commend Julie Brown for her contributions to the betterment of women's athletic endeavors;

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to Julie Brown.

On motion of Ms. Belcher, the resolution was adopted.

MESSAGES FROM THE SENATE

March 5, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1178,

HOUSE BILL NO. 1219,

SUBSTITUTE HOUSE BILL NO. 1275,

HOUSE BILL NO. 1319,

SUBSTITUTE HOUSE BILL NO. 1531,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 5, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 977, and the President has appointed as Senate conferees: Senators Peterson, Clarke, Talmadge.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House adjourned until 9:30 a.m., Tuesday, March 6, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-EIGHTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, March 6, 1984

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative McMullen, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kelly Shea and Brian Larson. Prayer was offered by Pastor Ron Long, Church of the Living Water of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTED SENATE BILL NO. 3181, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3429, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 4309, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTED SENATE BILL NO. 4788, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

March 5, 1984

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4275,
SUBSTITUTED SENATE BILL NO. 4435,
SUBSTITUTED SENATE BILL NO. 4578,
SENATE BILL NO. 4607,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 5, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTED SENATE BILL NO. 4525,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SSB 4525 by Committee on Ways & Means (originally sponsored by Senators McDermott, Deccio, Warnke, Zimmerman, Rinehart and Newhouse)

Establishing business and occupation tax deduction for income derived by artistic or cultural organizations.

Referred to Committee on Ways & Means

MESSAGE FROM THE SENATE

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4448, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 5, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4448, authorizing certain minor health care services, have had the same under consideration, and we recommend that the bill be amended as follows and the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It is in the public interest that limited authority to administer skin tests and subcutaneous, intradermal, intramuscular, and intravenous injections and to perform minor invasive procedures to withdraw blood in this state be granted to health care assistants who are not so authorized under existing licensing statutes, subject to such regulations as will assure the protection of the health and safety of the patient.

NEW SECTION, Sec. 2. As used in this chapter:

- (1) 'Director' means the director of licensing.
- (2) 'Health care assistant' means an unlicensed person who assists a licensed health care practitioner in providing health care to patients pursuant to this chapter.
- (3) 'Health care practitioner' means a physician licensed under chapter 18.71 RCW, an osteopathic physician or surgeon licensed under chapter 18.57 RCW, or, acting within the scope of their respective licenses, a podiatrist licensed under chapter 18.22 RCW or a registered nurse licensed under chapter 18.88 RCW.
- (4) 'Supervision' means supervision of procedures permitted pursuant to this chapter by a health care practitioner who is physically present and is immediately available in the facility during the administration of injections, as defined in this chapter, but need not be present during procedures to withdraw blood.
- (5) 'Health care facility' means any hospital, hospice care center, licensed or certified health care facility, health maintenance organization regulated under chapter 48.46 RCW, federally qualified health maintenance organization, renal dialysis center or facility federally approved under 42 C.F.R. 405.2100, or blood bank federally licensed under 21 C.F.R. 607.
- (6) 'Delegation' means direct authorization granted by a licensed health care practitioner to a health care assistant to perform the functions authorized in this chapter which fall within the scope of practice of the delegator and which are not within the scope of practice of the delegatee.

NEW SECTION, Sec. 3. A certification issued to a health care assistant pursuant to this chapter shall be authority to perform only the functions authorized in section 1 of this act subject to proper delegation and supervision in the health care facility making the certification or under the supervision of the certifying health care practitioner in other health care facilities or in his or her office. No certification made by one health care facility or health care practitioner is transferrable to another health care facility or health care practitioner.

NEW SECTION, Sec. 4. The director, or the director's designee, with the advice of designees of the board of medical examiners, the board of osteopathic medicine and surgery, the podiatry board, and the board of nursing, shall adopt rules necessary to administer, implement, and enforce this chapter and establish the minimum uniform requirements necessary for a health care facility or health care practitioner to certify a health care assistant capable of performing the functions authorized in this chapter. These requirements shall ensure that the public health and welfare are protected and shall include, but not be limited to, the following factors:

(1) The education and occupational qualifications of the health care assistant including types and limitation of drugs or diagnostic agents which may be administered by injection by a health care assistant;

(2) The work experience of the health care assistant; and

(3) The instruction and training provided to the health care assistant.

NEW SECTION. Sec. 5. (1) Any health care facility may certify a health care assistant to perform the functions authorized in this chapter in that health care facility; and any health care practitioner may certify a health care assistant capable of performing such services in any health care facility, or in his or her office, under a health care practitioner's supervision. Before certifying the health care assistant, the health care facility or health care practitioner shall verify that the health care assistant has met the minimum requirements established by the director under this chapter. These requirements shall not prevent the certifying entity from imposing such additional standards as the certifying entity considers appropriate. The health care facility or health care practitioner shall provide the licensing authority with a certified roster of health care assistants who are certified.

(2) Certification of a health care assistant shall be effective for a period of two years. Recertification is required at the end of this period. Requirements for recertification shall be established by rule.

NEW SECTION. Sec. 6. Any health care assistant certified pursuant to this chapter shall perform the functions authorized in this chapter only by delegation of authority from the health care practitioner and under the supervision of a health care practitioner acting within the scope of his or her license. In the case of subcutaneous, intradermal and intramuscular and intravenous injections, a health care assistant may perform such functions only under the supervision of a health care practitioner having authority, within the scope of his or her license, to order such procedures.

NEW SECTION. Sec. 7. The licensing authority of health care facilities or the disciplinary board of the delegating or supervising health care practitioner shall investigate all complaints or allegations of violations of proper certification of a health care assistant or violations of delegation of authority or supervision. A substantiated violation shall constitute sufficient cause for disciplinary action by the licensing authority of a health care facility or the disciplinary board of the health care practitioner.

NEW SECTION. Sec. 8. The director or the director's designee shall decertify a health care assistant based on a finding that the assistant has obtained certification through misrepresentation or concealment of a material fact or has engaged in unsafe or negligent practices.

NEW SECTION. Sec. 9. The performance of the functions authorized in this chapter by a health care assistant pursuant to this chapter does not constitute unlicensed practice as a health care practitioner.

NEW SECTION. Sec. 10. The department of licensing shall provide to the legislature on January 3, 1985, a report on the standards and rules established to implement sections 1 through 9 of this act.

NEW SECTION. Sec. 11. There is added to chapter 18.36 RCW a new section to read as follows:

A person licensed to practice drugless healing as a naturopathic physician may draw blood for diagnostic purposes.

NEW SECTION. Sec. 12. Sections 1 through 9 of this act shall constitute a new chapter in Title 18 RCW.

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "adding a new chapter to Title 18 RCW; adding a new section to chapter 18.36 RCW; and creating a new section."

Signed by Senators McManus, Deccio, Gaspard; Representatives Kreidler, McClure, Mitchell.

MOTION

On motion of Mr. Kreidler, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4448.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4448 as amended by Free Conference Committee.

Representative Barnes spoke against passage of the bill, and Representatives Lewis and Padden spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4448 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent, 9; excused, 1.

Voting yeas: Representatives Addison, Allen, Armstrong, Ballard, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Long, Lux, McClure, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nays: Representative Barnes - 1.

Absent: Representatives Appelwick, Belcher, Cantu, Fiske, King J, Locke, Tanner, Vekich, Williams J - 9.

Excused: Representative McMullen - 1.

Engrossed Substitute Senate Bill No. 4448 as amended by 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 SENATE

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 4619, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 5, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 4619, modifying procedures for filling vacancies in the office of fire commissioner, have had the same under consideration, and we recommend that the bill be amended as follows and the amended bill do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 20, chapter 34, Laws of 1939 as last amended by section 48, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.08.030 are each amended to read as follows:

Any fire protection district organized under this ~~((act shall have authority))~~ title may:

(1) ~~((To))~~ Lease, acquire, own, maintain, operate, and provide fire ~~((engines))~~ and emergency medical apparatus and all other necessary or proper ~~((apparatus:))~~ facilities, machinery, and equipment for the prevention and ~~((extinguishment))~~ suppression of fires, the providing of emergency medical services and the protection of life and property;

(2) ~~((To))~~ Lease, acquire, own, maintain, and operate real property, improvements, and fixtures ~~((thereon suitable and convenient))~~ for housing, repairing, and ~~((caring for fire fighting equipment))~~ maintaining the apparatus, facilities, machinery, and equipment described in subsection (1) of this section;

(3) ~~((To enter into contract with any incorporated city or town whereby such city or town shall furnish fire prevention and fire extinguishment service to the districts and the inhabitants thereof under the provisions of this act upon such terms as the board of directors of the district shall determine. To))~~ Contract with ~~((another county fire protection district, or with any town, city or municipal corporation or governmental agency))~~ any governmental entity or private person or ((persons)) entity to consolidate or cooperate for ((mutual)) fire ((fighting protection and)) prevention protection, fire suppression, and emergency medical purposes. ((Any city, town, municipal corporation or governmental agency may contract with a county fire protection district established and maintained under the provisions of this act for the purpose of affording such district fire fighting and protection equipment and service or fire prevention facilities, and in so contracting the district, city, town, municipal corporation or other governmental agency shall be deemed for all purposes to act within its governmental capacity. Any county fire protection district established and maintained under the provisions of this act, or any city, town, municipal corporation or other governmental agency is hereby authorized to contract with any person, firm or corporation for the purpose of affording fire fighting, protection or fire prevention facilities to such person, firm or corporation and such contractual relation

shall be deemed for all purposes to be within the governmental power of such rural fire protection district, city, town, municipal corporation or other governmental agency)) In so contracting, the district or governmental entity is deemed for all purposes to be acting within its governmental capacity. This contracting authority includes the furnishing of fire prevention, fire suppression, emergency medical services, facilities, and equipment to or by the district, governmental entity, or private person or entity;

(4) (~~Fire protection districts situated in different counties may contract to operate jointly in carrying out the objects of their creation. Contracts for joint operation may provide for joint ownership of property and equipment, and may authorize a joint board of fire commissioners of the contracting districts to manage the affairs of the joint operations; to employ and discharge the necessary agents and employees and fix their respective wages and salaries; to provide and designate a suitable place in any county in which any of the contracting districts is situated, as a regular meeting place for the joint board; to incur the necessary expenses and direct the payment therefor from the funds of the contracting districts in such proportion as the joint boards shall determine; and to do all things as may in the judgment of the joint board be required to carry out the joint operations of the contracting districts.~~

The joint board shall consist of the members of the boards of the contracting districts and a majority of the membership of each district board shall constitute a quorum for the transaction of the business of the joint board. The members of the boards of fire commissioners of the contracting districts shall organize as a joint board annually in January after the second Monday thereof, elect a chairman and appoint a secretary for the ensuing year. Any member of the board of any contracting district may act as secretary of the joint board or the joint board may appoint such other person as the joint board may determine. The joint board shall prepare the annual budget for the joint operation of the contracting districts and shall determine the share of revenues for the joint operation to be raised by each district and the share of the expense of joint operation to be paid by each district in the ensuing year, and the secretary of the joint board shall certify and deliver within the time required by law, to the county auditor of each county involved, the part of the budget to be raised by the district in that county and the tax officials of that county shall levy and collect the tax, and the county treasurer shall pay vouchers drawn by the joint board on the funds of the district in that county upon warrants issued by the county auditor of that county.

Contracts for joint operation of fire districts, as herein authorized shall run from year to year and as of January 1st may be terminated by written notice of the board of fire commissioners of any contracting district to the other contracting district or districts on or before July 1st and the contract for joint operations shall terminate on January 1st following. PROVIDED: That all obligations of the joint operations must be paid or definitely arranged for before contract termination and no notice of termination shall relieve any contracting district of its unpaid obligation incurred under the contract for joint operation:

(5) ~~To~~) Encourage uniformity and coordination of fire protection district operations (programs); The fire commissioners of ~~((two or more))~~ fire protection districts ~~(:)~~ may form an association ~~((thereof, for the purpose of securing data and))~~ to secure information of value in ~~((fighting and in))~~ suppressing and preventing fires(:) and other district purposes, to hold and attend meetings ~~((thereof)),~~ and to promote more economical and efficient operation of the associated fire protection districts. The ~~(directors)~~ commissioners of fire protection districts ~~((so associated))~~ in the association shall adopt articles of association or articles of incorporation for a nonprofit corporation, select a chairman ~~(and)~~, secretary, and ~~((such))~~ other officers as they may determine, and may employ and discharge ~~((such))~~ agents and employees as the officers deem convenient to carry out the purposes of the association. The expenses of the association may be paid from ~~((fire protection district expense))~~ funds ~~((upon vouchers of the respective associated))~~ paid into the association by fire protection districts: PROVIDED, That the aggregate contributions made to the association by ~~((any))~~ a district in ~~((any))~~ a calendar year shall not exceed two and one-half cents per thousand dollars of assessed valuation:

~~((6))~~ Two or more fire protection districts may contract with each other and such a district may contract with a city or county or the state supervisor of forestry or any association approved by him for the joint leasing, ownership, maintenance and operation of all necessary and proper apparatus, facilities, machinery, and equipment for the elimination of fire hazards and for the protection of life and property within the contracting districts, and of real property, improvements and fixtures thereon suitable and convenient for the housing, repairing, and caring for such apparatus, facilities, machinery, and equipment, and may contribute their agreed proportion of the cost and expense thereof.

Such contracts shall be executed by the commissioners of the contracting districts and, when the contract is between such districts, the terms and conditions thereof shall be carried out by the boards of commissioners acting jointly:

~~(7)~~ To do all things and perform all acts not otherwise prohibited by law:

~~(8)~~ ~~May~~) (5) Enter into contracts to provide group life insurance for the benefit of the personnel of the fire districts ~~(, but not to exceed ten thousand dollars coverage per covered employee, and not more than fifty percent of the cost of such insurance shall be borne by the employer fire district));~~

(6) Perform building and property inspections that the district deems necessary to provide fire prevention services and pre-fire planning within the district and any area that the district serves by contract in accordance with RCW 19.27.110: PROVIDED, That codes used by the district for building and property inspections shall be limited to the applicable codes adopted by the state, county, city, or town that has jurisdiction over the area in which the property is located. A copy of inspection reports prepared by the district shall be furnished by the district to the appropriate state, county, city, or town that has jurisdiction over the area in which the property is located: PROVIDED, That nothing in this subsection shall be construed to grant code enforcement authority to a district. This subsection shall not be construed as imposing liability on any governmental jurisdiction.

(7) Determine the origin and cause of fires occurring within the district and any area the district serves by contract. In exercising the authority conferred by this subsection, the fire protection district and its authorized representatives shall comply with the provisions of RCW 48.48.060:

(8) Perform acts consistent with this title and not otherwise prohibited by law.

Sec. 2, Section 26, chapter 34, Laws of 1939 as last amended by section 1, chapter 64, Laws of 1977 and RCW 52.12.050 are each amended to read as follows:

In ~~((case))~~ the event of a vacancy occurring in the office of fire commissioner, ~~((such))~~ the vacancy shall, within ~~((thirty))~~ sixty days, be filled by appointment of a resident elector of the district by a vote of the remaining fire commissioners ~~((and))~~. The person appointed shall serve until ~~((his))~~ a successor has been elected or appointed and has qualified. If the board of commissioners fails to fill the vacancy within the sixty-day period, the county legislative authority shall make the appointment. If ~~((there should be at the same time such))~~ the number of vacancies is such that there are not ~~((in office))~~ a majority of the full number of commissioners in office as fixed by law, the county legislative authority shall within thirty days of ~~((such))~~ the vacancies appoint the required number to create a majority as prescribed by law to fill the vacancies ad interim through the next general election. At the next general election, if there is sufficient time for the nomination of candidates for office of fire commissioner ~~((as herein provided))~~, after the filling of any vacancy in ~~((such))~~ the office ~~((as aforesaid))~~, ~~((there shall be elected))~~ a fire commissioner shall be elected to serve for the remainder of the unexpired term.

If a fire commissioner is absent from the district for three consecutive regularly scheduled meetings unless by permission of the board ~~((his))~~, the office shall be declared vacant by the board of ~~((county))~~ commissioners and ~~((such))~~ the vacancy shall be filled as provided for in this section ~~((but provided that no))~~. However, such an action shall not be taken unless ~~((he))~~ the commissioner is notified by mail after two consecutive unexcused absences that ~~((his))~~ the position will be declared vacant if ~~((he))~~ the commissioner is absent without being excused from the next regularly scheduled meeting.

NEW SECTION. Sec. 3. There is added to chapter 52.14 RCW a new section to read as follows:

Insofar as practicable, purchases and any public works by the district shall be based on competitive bids. A formal sealed bid procedure shall be used as standard procedure for purchases and contracts for purchases executed by the board of commissioners. Formal sealed bidding shall not be required for:

(1) Emergency purchases if the sealed bidding procedure would prevent or hinder the emergency from being addressed appropriately. The term emergency means an occurrence that creates an immediate threat to life or property;

(2) The purchase of any materials, supplies, or equipment if the cost will not exceed the sum of ten thousand dollars: PROVIDED, That whenever the estimated cost is from forty-five hundred dollars up to ten thousand dollars, the commissioners shall require quotations from at least three different sources to be obtained in writing or by telephone, and recorded for public perusal to assure establishment of a competitive price for such purchase;

(3) Contracting for work to be done involving the construction or improvement of a fire station or other buildings where the estimated cost will not exceed the sum of two thousand five hundred dollars, which includes the costs of labor, material, and equipment;

(4) Purchases which are clearly and legitimately limited to a single source of supply, or services, in which instances the purchase price may be best established by direct negotiation: PROVIDED, That this subsection shall not apply to purchases or contracts relating to public works as defined in chapter 39.04 RCW; and

(5) Purchases of insurance and bonds.

NEW SECTION. Sec. 4. There is added to chapter 52.14 RCW a new section to read as follows:

(1) Notice of the call for bids shall be given by posting notice in three public places in the district and by publication once each week for two consecutive weeks. The posting and first publication shall be at least two weeks before the date fixed for opening of the bids, and the publication shall be in a newspaper of general circulation within the district. If no bid is received on the first call, the commissioners may readvertise and make a second call, or may enter into a contract without a further call.

(2) A public work involving three or more specialty contractors requires that the district retain the services of a general contractor as defined in RCW 18.27.010.

NEW SECTION. Sec. 5. Section 1, chapter 176, Laws of 1953, section 2, chapter 101, Laws of 1972 ex. sess., section 161, chapter 3, Laws of 1983 and RCW 52.12.110 are each repealed."

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "amending section 20, chapter 34, Laws of 1939 as last amended by section 48, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.08.030; amending section 26, chapter 34, Laws of 1939 as last amended by section 1, chapter 64, Laws of 1977 and RCW 52.12.050; adding new sections to chapter 52.14 RCW; and repealing section 1, chapter 176, Laws of 1953, section 2, chapter 101, Laws of 1972 ex. sess., section 161, chapter 3, Laws of 1983 and RCW 52.12.110."

Signed by Senators Thompson, Woody, McCaslin; Representatives Moon, Haugen, Ballard.

MOTION

On motion of Ms. Haugen, the House adopted the report of the Free Conference Committee on Senate Bill No. 4619.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Senate Bill No. 4619 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4619 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representative Sanders - 1.

Absent: Representatives Appelwick, Belcher, Cantu, Locke, Tanner, Williams J - 6.

Excused: Representative McMullen - 1.

Senate Bill No. 4619 as amended by 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 Mr. Wang, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-161, by Representatives Galloway, Dickie, P. King, Schoon, Heck, Holland, Appelwick, Betzoff, Powers, Rust, Haugen, Todd, Egger, Fuhrman, Ebersole, Armstrong, Chandler, Addison, Allen, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Ehlers, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Hine, Isaacson, Jacobsen, Johnson, Kaiser, J. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Prince, Pruitt, Sanders, Sayan, Schmidt, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Van Dyken, Van Luven, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, The Superintendent of Public Instruction, the Council of Chief State School Officers, and the United States Secretary of Education have sponsored the Secondary School Recognition Program in order to recognize unusually successful secondary schools throughout this state and nation; and

WHEREAS, The schools receiving this recognition have demonstrated success in meeting the educational needs of all their students and have established clear educational goals as well as incentives for achieving those goals for students, teachers, administrators, and the community; and

WHEREAS, These schools are also successful in identifying their own problems and overcoming those problems through innovative means; and

WHEREAS, Five state high schools: Hanford Secondary School in Richland School District, Mercer Island High School in Mercer Island School District, Curtis High School in University Place School District, Shorewood High School in Shoreline School District, and Pasco High School in Pasco School District, and five state junior high and middle schools: Mead Junior High School in Mead School District, Cashmere Middle School in Cashmere School District, Sacajawea Junior High School in Spokane School District, Sequim Middle School in Sequim School District, and Woodbrook Junior High School in Clover Park School District, won recognition in 1983, and seven of these schools also received national recognition; and

WHEREAS, The following six state high schools: Battle Ground High School in Battle Ground School District, Colville High School in Colville School District, Charles A. Lindberg High School in Renton School District, Redmond High School in Lake Washington School District, Sumner High School in Sumner School District, Wilbur High School in Wilbur School District, and six state junior high and middle schools: Cheney Junior High School in Cheney School District, Curtis Junior High School in University Place School District, Jefferson Middle School in Olympia School District, Olympic Junior High School in Auburn School District, Omak Middle School in Omak School District, Totem Junior High School in Federal Way School District, have won recognition by the state in 1984; and

WHEREAS, These schools have brought honor and recognition to the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the unusual successes of these schools, their students, teachers, administrators, and the communities be recognized and commended by the House of Representatives on behalf of the citizens of the State of Washington; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to the United States Secretary of Education, the Council of Chief State School Officers, the State Superintendent of Public Instruction, the schools recognized in this Resolution, their school districts, and the principals of these schools.

Ms. Galloway moved adoption of the resolution. Representatives Galloway, Dickie and Schoon spoke in favor of the resolution and it was adopted.

MESSAGE FROM THE SENATE

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 5, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193, modifying provisions of the Washington clean air act, have had the same under consideration, and we recommend that the bill be amended as follows and the amended bill do pass:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 61, chapter 238, Laws of 1967 as amended by section 1, chapter 176, Laws of 1973 1st ex. sess. and RCW 70.94.430 are each amended to read as follows:

Any person who violates any of the provisions of this chapter, or any ordinance, resolution, rule or regulation in force pursuant thereto (~~other than RCW 70.94.205~~;) shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than ~~((two hundred fifty))~~ one thousand dollars, or by imprisonment for not more than ninety days, or by both fine and imprisonment for each separate violation. ~~((Each day upon which such violation occurs shall constitute a separate violation.))~~

Any person who wilfully violates any of the provisions of this chapter or any ordinance, resolution, rule or regulation in force pursuant thereto shall be guilty of a gross misdemeanor.

~~((Each day upon which such willful violation occurs shall constitute a separate offense.))~~ Upon conviction the offender shall be punished by a fine of not less than one hundred dollars for each offense(:

~~Any person who willfully violates RCW 70.94.205 or any other provision of this act shall be guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.))~~ or by imprisonment for a term of not more than one year or by both fine and imprisonment.

In case of a continuing violation, whether or not willfully committed, each day's continuance shall be a separate and distinct violation.

Sec. 2. Section 53, chapter 168, Laws of 1969 ex. sess. as amended by section 2, chapter 176, Laws of 1973 1st ex. sess. and RCW 70.94.431 are each amended to read as follows:

(1) In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of chapter 70.94 RCW or any of the rules and regulations of the department or the board shall incur a penalty in the form of a fine in an amount not to exceed ~~((two hundred fifty))~~ one thousand dollars per day for each violation. Each such violation shall be a separate and distinct offense, and in case of a continuing violation, each day's continuance shall be a separate and distinct violation. For the purposes of this subsection, the maximum daily fine imposed by a local board for violations of standards by a specific emissions unit is one thousand dollars.

(2) Further, the person is subject to a fine of up to five thousand dollars to be levied by the director of the department of ecology if requested by the board of a local authority or if the director determines that the penalty is needed for effective enforcement of this chapter. A local board shall not make such a request until notice of violation and compliance order procedures have been exhausted, if such procedures are applicable. For the purposes of this subsection, the maximum daily fine imposed by the department of ecology for violations of standards by a specific emissions unit is five thousand dollars.

(3) Each act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty. Except as provided in subsection (4) of this section, the penalty shall become due and payable when the person incurring the same receives a notice in writing from the director or his designee or the control officer of the authority or his designee describing the violation with reasonable particularity and advising such person that the penalty is due unless a request is made for a hearing to the hearings board as provided for in chapter 43.21B RCW. When a request is made for a hearing, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order affirming the penalty in whole or part. If the amount of such penalty is not paid to the department or the board within thirty days after it becomes due and payable, and a request for a hearing has not been made, the attorney general, upon the request of the director or his designee, or the attorney for the local authority, upon request of the board or control officer, shall bring an action to recover such penalty in the superior court of the county in which the violation occurred. All penalties recovered under this section by the state board shall be paid into the state treasury and credited to the general fund or, if recovered by the authority, fifty percent shall be paid into the treasury of the authority and credited to its funds and fifty percent shall be distributed to the cities, towns and counties within the authority, on a pro rata basis, as each contributes to support the authority pursuant to RCW 70.94.093. If a prior penalty for the same violation has been paid to a local authority, the penalty imposed under subsection (2) of this section shall be reduced by the amount of the payment. Notwithstanding any other provisions of this chapter, no penalty may be levied for the violation of any opacity standard in an amount exceeding four hundred dollars per day.

(4) If a penalty is levied under subsection (2) of this section, the director or the director's authorized delegate may, upon written application therefor received within fifteen days after the notice imposing any penalty is received by the person incurring the penalty, and when deemed in the best interest to carry out the purposes of this chapter, remit or mitigate any penalty provided in this section upon such terms as the director in the director's discretion deems proper, and may ascertain the facts upon all such applications in such manner and under such regulations as the director deems proper. The mitigation shall not affect or reduce the penalty imposed by the local board. Any person incurring any penalty under this section may appeal the same to the hearings board as provided in chapter 43.21B RCW. Appeals shall be filed within thirty days of receipt of notice imposing any penalty unless an application for remission or mitigation is made to the department. When an application for remission or mitigation is made, appeals shall be filed within thirty days of receipt of notice from the director or the director's authorized delegate setting forth the disposition of the application. Any penalty imposed under this section shall become due and payable thirty days after receipt of a notice imposing the same unless application for remission or mitigation is made or an appeal is filed. When an application for remission or mitigation is made, any penalty incurred under this section shall become due and payable thirty days after receipt of notice setting forth the disposition of the application unless an appeal is filed from the disposition. Whenever an appeal of any penalty incurred under this section is filed, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order confirming

the penalty in whole or in part. If the amount of any penalty is not paid to the department within thirty days after it becomes due and payable, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any county in which the violator may do business, to recover the penalty. In all such actions the procedure and rules of evidence shall be the same as for an ordinary civil action except as otherwise provided in this chapter.

To secure the penalty incurred under this section, the state or the authority shall have a lien on any vessel used or operated in violation of this chapter which shall be enforced as provided in RCW 60.36.050.

In all actions brought in the superior court for the recovery of penalties hereunder, the procedure and rules of evidence shall be the same as in an ordinary civil action."

On page 1, line 1 of the title, after "act," strike the remainder of the title and insert "amending section 61, chapter 238, Laws of 1967 as amended by section 1, chapter 176, Laws of 1973 1st ex. sess. and RCW 70.94.430; and amending section 53, chapter 168, Laws of 1969 ex. sess. as amended by section 2, chapter 176, Laws of 1973 1st ex. sess. and RCW 70.94.431."

Signed by Senators Hughes, Talmadge; Representatives Rust, Dellwo, Patrick.

MOTION

Ms. Rust moved that the House adopt the report of the Free Conference Committee on Engrossed Second Substitute Senate Bill No. 3193.

Representatives Rust and Patrick spoke in favor of the motion and it was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 3193 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3193 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 77; nays, 18; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Ballard, Barrett, Bond, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Haugen, Isaacson, Nealey, Nelson G, Padden, Prince, Smith C, Struthers, Wilson - 18.

Absent: Representatives Cantu, Williams J - 2.

Excused: Representative McMullen - 1.

Engrossed Second Substitute Senate Bill No. 3193 as amended by 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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-167, by Representatives Broback and Johnson

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, Steilacoom High School rose to a level of excellence in State Class A boys' basketball; and

WHEREAS, The Steilacoom High School Sentinels defeated the Woodland Bearers 68 to 39 to capture the 1984 Class A Boys' State Basketball Championship; and

WHEREAS, This was only the fourth year students have attended Steilacoom High School and this is their first State championship; and

WHEREAS, Since the City of Steilacoom, Washington was the first city in the State of Washington, it is only fitting that Steilacoom High School finish first in state athletic competitions;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Steilacoom High School Boys' Basketball Team and coaching staff and the Steilacoom community be commended for their great success; and

BE IT FURTHER RESOLVED, That Rod Whatley, Steilacoom High School team member, be congratulated for his performance and selection as the State Class A Tournament's Most Valuable Player; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Head Coach John Medak to be presented to Steilacoom High School and the team members.

On motion of Mr. Broback, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-169, by Representatives Tilly and Ballard

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Brewster High School Boys' Basketball Team won the 1984 State Class B Championship; and

WHEREAS, The Brewster High School Bears upset the heavily favored Naselle High School Comets by a score of 42 to 38; and

WHEREAS, This marked the fourth time in ten years that Brewster High School has won the State Class B Boys' Basketball Tournament; and

WHEREAS, A championship in Class B athletic competition cannot be obtained without the support of the entire community, students, faculty, and staff; and

WHEREAS, Head Coach Darcy Weisner in only his second season at Brewster High School led the team to the championship and a 22-5 season record;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Brewster High School Boys' Basketball Team be commended for its success; and

BE IT FURTHER RESOLVED, That the Brewster community, parents, and the Brewster High School faculty, staff, and administration be applauded for their support; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to Head Coach Darcy Weisner and all of the members of the 1984 State Champion Brewster High School Basketball Team.

Mr. Tilly moved adoption of the resolution. Representatives Tilly, Ballard and Nealey spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

MESSAGES FROM THE SENATE

March 6, 1984

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3044, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SECOND SUBSTITUTE HOUSE BILL NO. 689, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SECOND SUBSTITUTE HOUSE BILL NO. 689, establishing small business assistance coordinating council, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free conference in order to amend the bill.

Signed by Senators McManus, Quigg, Moore; Representatives J. King, Ebersole, Silver.

MOTION

On motion of Mr. J. King, the House adopted the report of the Conference Committee, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 1133, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 3, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference, to whom was referred ENGROSSED HOUSE BILL NO. 1133, specifying requirements for political advertising, have had the same under consideration, and we recommend that the bill be amended as follows:

On page 1, line 15 after "(2)" strike "The" and insert "Political yard signs are exempt from the requirement of subsection (1) of this section that the name and address of the sponsor of political advertising be listed on the advertising. In addition, the"

On page 1, line 15 after "rule" strike "or on a case-by-case basis"

On page 1, after line 19 insert:

"(3) For the purposes of this section, 'yard sign' means any outdoor sign with dimensions no greater than eight feet by four feet."

Signed by Senators Talmadge, Hughes, Newhouse; Representatives Pruitt, Fisch, Miller.

MOTION

On motion of Mr. Pruitt, the House adopted the report of the Free Conference Committee on Engrossed House Bill No. 1133.

FINAL PASSAGE OF HOUSE BILL AS AMENDED
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed House Bill No. 1133 as amended by Free Conference Committee.

Representatives Pruitt and Miller spoke in favor of passage of the bill.

' POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. J. Williams.

Mr. J. Williams: "Representative Pruitt, on page 1, after line 19 in subsection (3), it says: 'For the purposes of this section, "yard sign" means any out door sign with dimensions greater than eight feet by four feet.' Would this preclude any legislative candidate from engaging the services of an outdoor advertising company for a billboard?"

Mr. Pruitt: "No, this does not preclude that. This is directed to signs in yards that won't have to have that identification. It is not precluding any signs, but I think if

they are larger than this you will probably need to put your identification on them. It doesn't preclude any signs, however."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1133 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 8; excused, 0.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Appelwick, Fuhrman, Galloway, Lewis, Padden, Prince, Rust, Tilly - 8.

Engrossed House Bill No. 1133 as amended by 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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-170, by Representatives Lux, R. King, Clayton and Sanders

WHEREAS, More than 200,000 Washington workers are injured on the job each year; and

WHEREAS, Until 1983 many of these injured workers did not receive adequate rehabilitative services to enable them to return to suitable gainful employment; and

WHEREAS, There was a need for these rehabilitative services for Washington workers; and

WHEREAS, Joe Schilling, who was injured as a result of an on-the-job accident, recognized this need and founded the Seattle-based "Injured Workers Organization"; and

WHEREAS, Joe Schilling contributed his time, efforts, and money to the Injured Workers Organization and caused it to grow and establish chapters in Mount Vernon, the South Bend-Raymond area, and Longview; and

WHEREAS, Joe Schilling and the Injured Workers Organization helped pass the Injured Workers Bill of Rights, which requires that injured workers in Washington be provided with comprehensive rehabilitation with the goal of returning the worker to suitable gainful employment; and

WHEREAS, Joe Schilling was recently recognized by the Seattle Post Intelligencer and the American Institute of Public Service for his efforts on behalf of injured workers and for his achievements and dedication to others; and

WHEREAS, For his actions, Joe Schilling was one of six winners of the 1984 Jefferson Award for public service; and

WHEREAS, Joe Schilling has through extraordinary public service enriched the State of Washington and the lives of its citizens;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives join with the citizens of Washington to express gratitude for Joe Schilling's efforts on behalf of injured workers in the state; and

BE IT FURTHER RESOLVED, That the House of Representatives honor and commend Joe Schilling for his efforts which enrich and improve the quality of life in Washington State; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Governor Spellman, Sam Kinville, the director of the Washington State Department of Labor and Industries, and Joe Schilling.

On motion of Mr. Lux, the resolution was adopted.

REPORT OF CONFERENCE COMMITTEE

March 6, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4798, extending prison overcrowding reform act, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Granlund, Owen; Representatives Kreidler, Wang, B. Williams.

MOTION

Mr. Kreidler moved that the Conference Committee report be adopted and the committee be granted powers of Free Conference.

Representatives Kreidler and Padden spoke in favor of the motion, and it was carried.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 4504, by Senators Shipoch, McDonald and Conner; by Office of Financial Management and State Auditor request

Requiring a comprehensive state budgeting, accounting, and reporting system.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 23, 1984.)

On motion of Ms. Sommers, the committee amendment was adopted.

Mr. Nealey moved adoption of the following amendment by Representatives Nealey and Van Luvén:

After the committee amendment insert the following:

"Sec. 5. Section 33, chapter 7, Laws of 1983 as last amended by section 1, chapter ... (SHB 1653), Laws of 1984 and RCW 82.32.400 are each amended to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund, other than amounts reappropriated for the next fiscal biennium, to this account. Moneys in this account may only be spent after appropriation by a statute approved by a favorable vote of sixty percent of the members elected to each house of the legislature for the purpose of:

- (1) Decreasing the unfunded liability of a state retirement system ((or for the purpose of));
- (2) Discharging obligations which the legislature determines are correctly chargeable to a prior biennium;
- (3) Reducing taxes;
- (4) For capital outlays or construction; or
- (5) In the event of emergency, to protect the health, safety, or welfare of the citizens of this state.

NEW SECTION. Sec. 6. There is added to chapter 43.88 RCW a new section to read as follows:

No state general fund appropriation or supplemental appropriation may exceed ninety-eight percent of the estimated state general fund revenue for the fiscal period, unless the appropriation is approved by a favorable vote of sixty percent of the members elected to each house of the legislature.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 280, Laws of 1981 and RCW 43.88.520;
- (2) Section 2, chapter 280, Laws of 1981 and RCW 43.88.525;
- (3) Section 3, chapter 280, Laws of 1981, section 2, chapter 36, Laws of 1982 1st ex. sess., section 2, chapter ... (SHB 1653), Laws of 1984 and RCW 43.88.530;
- (4) Section 4, chapter 280, Laws of 1981, section 3, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.535; and
- (5) Section 5, chapter 280, Laws of 1981 and RCW 43.88.540.

NEW SECTION. Sec. 8. Sections 5, 6 and 7 of this act shall take effect on July 1, 1985, for the fiscal biennium beginning on that date."

Renumber the sections following consecutively and correct internal references accordingly.

Representatives Nealey, Van Luven, Broback, B. Williams, Addison, Tilly and Van Dyken spoke in favor of the amendment, and Representatives Sommers, Charnley, Smitherman and Braddock spoke against it.

Mr. Van Luven spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nealey and Van Luven to Engrossed Senate Bill No. 4504, and the amendment was not adopted by the following vote: Yeas, 48; nays, 50; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P. Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Mr. Cantu moved adoption of the following amendment:

On page 1, after line 25 insert the following:

*Sec. 4. Section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030 are each amended as follows:

(1) The budget document or documents shall consist of the governor's budget message which shall be explanatory of the budget and shall contain an outline of the proposed financial policies of the state for the ensuing fiscal period and shall describe in connection therewith the important features of the budget. The message shall set forth the reasons for salient changes from the previous fiscal period in expenditure and revenue items and shall explain any major changes in financial policy. Attached to the budget message shall be such supporting schedules, exhibits and other explanatory material in respect to both current operations and capital improvements as the governor shall deem to be useful to the legislature. The budget document or documents shall set forth a proposal for expenditures in the ensuing fiscal period based upon anticipated revenues for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document: PROVIDED, That the governor may additionally submit, as an appendix to each agency budget or to the budget document or documents, a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes.

The budget document or documents shall also contain:

(a) Revenues classified by fund and source for the immediately past fiscal period, those received or anticipated for the current fiscal period, and those anticipated for the ensuing biennium;

(b) Cash surplus or deficit, by fund, to the extent provided by RCW 43.88.040 and 43.88.050;

(c) Such additional information dealing with expenditures, revenues, workload, performance and personnel as the legislature may direct by law or concurrent resolution;

(d) Such additional information dealing with revenues and expenditures as the governor shall deem pertinent and useful to the legislature;

(e) Tabulations showing expenditures classified by fund, function, activity and object; and

(f) A delineation of each agency's activities, including those activities funded from non-budgeted, nonappropriated sources, including funds maintained outside the state treasury.

(2) The budget document or documents shall include detailed estimates of all anticipated revenues applicable to proposed operation or capital expenditures and shall also include all proposed operating or capital expenditures. The total of anticipated revenues shall equal or exceed the total of proposed applicable expenditures. The budget document or documents shall further include:

(a) Interest, amortization and redemption charges on the state debt;

(b) Payments of all reliefs, judgments and claims;

(c) Other statutory expenditures;

(d) Expenditures incident to the operation for each agency;

(e) Revenues derived from agency operations;

(f) Expenditures and revenues shall be given in comparative form showing those incurred or received for the immediately past fiscal period and those anticipated for the current biennium and next ensuing biennium.

(3) A separate budget document shall be submitted for the three ensuing biennia beyond the proposed biennium budget period consisting of:

(a) A planning budget from each agency that includes (1) operating costs of each program administered by the agency for the three ensuing biennia beyond the proposed biennium budget, (2) capital costs of each project proposed or administered by the agency for the three ensuing biennia beyond the proposed biennium budget, and (3) an estimate of operating costs resulting from each project and a revenue source from which each project will be funded;

(b) A prioritization of state government capital projects and revenue sources;

(c) Revenues based on no change in tax rates and base;

(d) Revenues based on the tax rates and bases required to balance the planning budget;

(e) Interest, amortization and redemption charges on the state debt;

(f) Unfunded liabilities of state pension systems and the plan proposed to retire this debt;

The three biennium planning budget shall be (a) submitted to the legislature no later than December 20 of odd-numbered years beginning with 1985; (b) used by the governor and the legislature as a framework for developing the proposed biennial budget; and (c) revised and extended forward every two years.

((4)) (4) A separate budget document or schedule may be submitted consisting of:

(a) Expenditures incident to current or pending capital projects and to proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts proposed to be raised therefor by the issuance of bonds during the fiscal period;

(b) A capital program consisting of proposed capital projects for at least the two fiscal periods succeeding the next fiscal period. The capital program shall include for each proposed project a statement of the reason or purpose for the project along with an estimate of its cost;

(c) Such other information bearing upon capital projects as the governor shall deem to be useful to the legislature;

(d) Such other information relating to capital improvement projects as the legislature may direct by law or concurrent resolution.

((4)) (5) No change affecting the comparability of agency or program information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document or report presented to the legislature under this section or RCW 43.88.160(1) relative to the format of the budget document or report which was presented to the previous regular session of the legislature during an odd-numbered year without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative evaluation and accountability program committee if the legislature is not in session."

Representatives Cantu, B. Williams and Hastings spoke in favor of the amendment, and Representatives Sommers and Smitherman spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Cantu to Engrossed Senate Bill No. 4504, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luvan, Vander Sloep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Haisan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

On motion of Mr. Grimm, the following amendment to the title was adopted:

On page 1, line 1 of the title after "accounting;" strike the remainder of the title and insert "amending section 43.88.090, chapter 8, Laws of 1965 as last amended by section 4, chapter 270, Laws of 1981 and RCW 43.88.090; adding new sections to chapter 43.88 RCW; and repealing section 1, chapter 306, Laws of 1983 and RCW 43.17.220."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sommers, B. Williams and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4504 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 4504 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 Mr. Zellinsky, the House was recessed until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Taylor, who was excused.

MESSAGE FROM THE SENATE

March 6, 1994

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3044,
 SUBSTITUTE SENATE BILL NO. 3181,
 SECOND SUBSTITUTE SENATE BILL NO. 3193,
 SUBSTITUTE SENATE BILL NO. 3429,
 SENATE BILL NO. 4309,
 SUBSTITUTE SENATE BILL NO. 4416,
 SUBSTITUTE SENATE BILL NO. 4448,
 SENATE BILL NO. 4619,
 SUBSTITUTE SENATE BILL NO. 4788,
 SECOND SUBSTITUTE SENATE BILL NO. 4831,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 105,
 SUBSTITUTE HOUSE BILL NO. 480,
 SUBSTITUTE HOUSE BILL NO. 1163,
 HOUSE BILL NO. 1509,
 SUBSTITUTE HOUSE BILL NO. 1652,
 SENATE BILL NO. 3044,
 SUBSTITUTE SENATE BILL NO. 3181,
 SECOND SUBSTITUTE SENATE BILL NO. 3193,
 SUBSTITUTE SENATE BILL NO. 3429,
 SENATE BILL NO. 4275,
 SENATE BILL NO. 4309,
 SUBSTITUTE SENATE BILL NO. 4416,
 SUBSTITUTE SENATE BILL NO. 4435,
 SUBSTITUTE SENATE BILL NO. 4448,

SUBSTITUTE SENATE BILL NO. 4578,
 SENATE BILL NO. 4607,
 SENATE BILL NO. 4619,
 SUBSTITUTE SENATE BILL NO. 4788,
 SECOND SUBSTITUTE SENATE BILL NO. 4831.

MESSAGE FROM THE SENATE

March 6, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 880, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 6, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 880, regulating payment procedures for certain health care providers not participants in a health services contract, have had the same under consideration, and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 168, Laws of 1982 and RCW 48.44.026 are each amended to read as follows:

Checks in payment for claims pursuant to any health care service contract for health care services provided by persons licensed or regulated under chapters 18.22, 18.25, 18.29, 18.32 ((or)), 18.53, 18.57, 18.71, 18.74, 18.83, or 18.88 RCW, where the provider is not a participant under a contract with the health care service contractor, shall be made out to both the provider and the insured, jointly, to require endorsement by each: PROVIDED, That payment shall be made in the single name of the insured if the insured as part of his or her claim furnishes evidence of prepayment to the health care service provider: AND PROVIDED FURTHER, That nothing in this section shall preclude a health care service contractor from voluntarily issuing payment in the single name of the provider.

NEW SECTION: Sec. 2. There is added to Article 3 of Title 62A RCW a new section to read as follows:

If an instrument under RCW 48.44.026 requires indorsement by more than one person and the instrument is not so indorsed, the initial party who accepts the negotiation of the instrument is liable for the value of the instrument and the costs of collection, including reasonable attorneys' fees."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending section 1, chapter 168, Laws of 1982 and RCW 48.44.026; and adding a new section to Article 3 of Title 62A RCW."

Signed by Senators Bender, Moore, Sellar; Representatives Kreidler, Lewis, Niemi.

MOTION

On motion of Mr. Kreidler, the House adopted the report of the Free Conference Committee on House Bill No. 880.

FINAL PASSAGE OF HOUSE BILL AS AMENDED
 BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of House Bill No. 880 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 880 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 2; excused, 1.

 Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chanley, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher,

Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Ebersole, Lux - 2.

Excused: Representative Taylor - 1.

House Bill No. 880 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act

MESSAGES FROM THE SENATE

March 6, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 939,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 6, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1157, and the President has appointed as Senate conferees: Senators McDermott, Deccio, Thompson.

Bill Gleason, Assistant Secretary.

March 6, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3193, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 6, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4448, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 6, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SENATE BILL NO. 4619, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 6, 1984

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4831, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 6, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 4798, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 6, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4798, extending prison overcrowding reform act, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 16, chapter 137, Laws of 1981 as amended by section 4, chapter 163, Laws of 1983 and RCW 9.94A.160 are each amended to read as follows:

If the governor finds that an emergency exists in that the population of a state residential correctional facility exceeds its reasonable, maximum capacity, then the governor may do any one or more of the following:

(1) Call the sentencing guidelines commission into an emergency meeting for the purpose of evaluating the standard ranges and other standards. The commission may adopt any revision or amendment to the standard ranges or other standards that it believes appropriate to deal with the emergency situation. The revision or amendment shall be adopted in conformity with chapter 34.04 RCW and shall take effect on the date prescribed by the commission. The legislature shall approve or modify the commission's revision or amendment at the next legislative session after the revision or amendment takes effect. Failure of the legislature to act shall be deemed as approval of the revision or amendment:

(2) If the emergency occurs prior to July 1, 1988, call the board of prison terms and paroles into an emergency meeting for the purpose of evaluating its guidelines and procedures for release of prisoners under its jurisdiction. The board shall adopt guidelines for the reduction of inmate population to be used in the event the governor calls the board into an emergency meeting under this section. The board shall not, under this subsection, reduce the prison term of an inmate serving a mandatory minimum term under RCW 9.95.040, an inmate confined for treason, an inmate confined for any violent offense as defined by RCW 9.94A.030, or an inmate who has been found to be a sexual psychopath under chapter 71.06 RCW. In establishing these guidelines, the board shall give priority to sentence reductions for inmates confined for nonviolent offenses, inmates who are within six months of a scheduled parole, and inmates with the best records of conduct during confinement. The board shall consider the public safety, the detrimental effect of overcrowding upon inmate rehabilitation, and the best allocation of limited correctional facility resources. Guidelines adopted under this subsection shall be submitted to the senate institutions and house of representatives social and health services committees for their review. This subsection does not require the board to reduce inmate population to or below any certain number. The board may also take any other action authorized by law to modify the terms of prisoners under its jurisdiction:

(3) Call the clemency and pardons board into an emergency meeting for the purpose of recommending whether the governor's commutation or pardon power should be exercised to meet the present emergency.

Sec. 2. Section 51, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

(a) \$2,153,000 is appropriated from the general fund for the continuation and expansion of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties. \$38,000 of the appropriation in this subsection (1)(a) is provided solely for the current Pierce county and Snohomish county treatment alternatives to street crime programs to implement the expansion program.

(b) \$51,803,000 is appropriated from the general fund, subject to the following conditions and limitations:

(i) \$236,000 is provided solely for community diversion programs.

(ii) \$200,000 is provided solely for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

(iii) \$25,458,000 is provided for probation and parole, other than for drug and alcohol specialized officers in counties currently or proposed to be served by the treatment alternatives to street crime programs.

(iv) \$4,054,000 is provided for intensive parole.

(v) \$16,952,000 is provided to operate and/or contract with nonprofit corporations for work training release for convicted felons.

(vi) \$4,026,000 is provided to operate the Geiger community work release facility for convicted felons.

(vii) \$877,000 is provided for support of the state director's office of community services.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	206,860,000
General Fund Appropriation—Federal	\$	700,000
Total Appropriation	\$	207,560,000

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

(a) \$712,000 of the general fund—state appropriation is provided solely for drug and alcohol rehabilitation treatment programs at appropriate state correctional institutions, as defined in RCW 72.01.050 for persons who: (i) Are defined as inmates under RCW 72.09.020; (ii) in the opinion of a qualified health professional designated by the department, are in need of such treatment; and (iii) have less than one year remaining in their confinement to a state correctional facility. Such programs may include facilities for both residential and outpatient treatment.

(b) The superintendents of each correctional institution, as defined in RCW 72.65.010, shall establish community-based volunteer alcohol and drug rehabilitation programs in their respective correctional institution. The superintendents shall encourage groups conducting such programs outside the institutions to participate in such programs inside the institution. An employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(c) The department shall contract with appropriate counties for the use of up to 200 beds in county jails. Contracted jail space shall be used for inmates who have not fully entered the state prison system and for inmates who are nearing their release date who are not appropriate for parole, work release, or early release.

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation—State	\$	13,278,000
General Fund—Institutional Impact Account Appropriation	\$	865,000
Total Appropriation	\$	14,143,000

The appropriations in this subsection are subject to the following conditions and limitations: \$1,480,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities and for the one-time cost impact associated with the double bunking at the Washington Corrections Center due to the significant increase in the inmate population and the consequent impact on the community.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation	\$	5,463,000
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(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes and no transfer shall be made among said subsections.

NEW SECTION, Sec. 3. The legislature finds and declares that:

(1) The sentencing reform act of 1981 which established the sentencing guidelines commission and directed the commission to devise a system of recommended standard sentence ranges for all felony offenses, required the commission, in setting the standards, to emphasize confinement for the violent offender and alternatives to total confinement for the nonviolent offender.

(2) There is a need to plan and develop a system through which alternatives to total confinement can be used to serve nonviolent offenders who have been convicted of crimes but who, in the judgment of the courts and appropriate corrections personnel, can best serve their sentences without substantial danger to the community in local community programs rather than in state prisons or local jails.

(3) The department of corrections, which, under RCW 72.09.060 and 72.09.100(5), is charged with developing, establishing, and administering community service programs state-wide, has the expertise, and personnel to enable the development of a comprehensive system of alternative programs for nonviolent offenders.

NEW SECTION, Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 4 through 8 of this act.

(1) 'Department' means the department of corrections.

(2) 'Secretary' means the secretary of corrections.

(3) 'Alternatives to total confinement' means residential and nonresidential programs that meet the definitional requirements of the five categories of sanctions established under chapter 9.94A RCW and that are operated by the department or local government entities to serve nonviolent offenders who have been convicted of crimes, in lieu of incarceration in state prisons or local jails.

(4) 'Nonviolent offender' means any person convicted of a felony not classified as a violent offense under chapter 9.94A RCW.

NEW SECTION, Sec. 5. The department shall formulate a comprehensive plan for the development, implementation, and operation of alternatives to total confinement for nonviolent offenders, that meet the definitional requirements of the five categories of sanctions established under chapter 9.94A RCW.

The plan shall be submitted to the appropriate standing committee of the house of representatives and the senate for review by December 1, 1984. The plan shall include, but is not limited to:

(1) The establishment of goals and objectives for the development, implementation, and expansion of alternatives to total confinement;

(2) An identification and evaluation of current state and local alternatives to total confinement, including, but not limited to, probation-type services and court-ordered community service programs authorized under RCW 72.09.100(5);

(3) An evaluation of the existing organizational structure and of the services provided by the department's division of community services and its role in providing or administering programs that are alternatives to total confinement after July 1, 1984;

(4) The establishment of policies and procedures to improve and expand existing alternatives to total confinement including, but not limited to, probation-type services and court-ordered community service, and to develop new alternatives to total confinement. Policies and procedures on program site selection, offender intake assessment, program and offender monitoring, and evaluating and reporting the effectiveness of alternatives to total confinement should be included;

(5) The identification of the projected numbers of nonviolent offenders who may be eligible for alternatives to total confinement;

(6) A delineation of the role and functions of affected state and local government entities and state and local service providers with respect to the administration and operation of programs that are alternatives to total confinement;

(7) The identification of funding sources, funding responsibility, and costs associated with alternatives to total confinement and how funding for such programs can occur within state and local budget limitations;

(8) An analysis of the legal liability of state and local government entities and private sector service providers, and a determination of what types of insurance or other mechanisms are available to provide legal and financial safeguards;

(9) An identification of the statutory changes which may be necessary to permit full implementation of the plan; and

(10) An analysis of the role local correctional facilities should assume under chapter 9.94A RCW. The analysis shall determine: (a) Whether the state should assume financial responsibility for operating local correctional facilities, (b) whether the state should contract for county jail beds to house state prisoners, (c) whether new jail facilities have adequate programs to meet the needs of state prisoners, and (d) the feasibility of counties using minimum security facilities for low-risk offenders.

NEW SECTION, Sec. 6. The department, in developing the plan, shall consult with and receive input from representatives of affected state and local government entities including the governor's interagency criminal justice work group, correctional organizations and associations, prosecuting attorneys, the defense bar, the legislature, private nonprofit agencies, and private citizens. The plan shall be submitted to the governor's interagency criminal justice work group for review prior to the submission of such plan to the legislature.

NEW SECTION, Sec. 7. The department's plan for the development, implementation, operation, and expansion of alternatives to total confinement shall reflect regional differences. The department shall consult with and receive input from affected agencies, organizations, service providers, and individuals working at the regional level.

NEW SECTION, Sec. 8. The department, in developing the plan, may request from the office of financial management, the board of prison terms and paroles, the administrator for the courts, the sentencing guidelines commission, the corrections standards board, and the department of social and health services such staff assistance, data, information, and data processing assistance as it may need to accomplish its task, and such services shall be provided without cost to the department.

NEW SECTION, Sec. 9. There is added to chapter 72.09 RCW a new section to read as follows:

(1) In recognition of prison overcrowding and the hazardous nature of employment in state correctional institutions, the legislature hereby provides a supplementary program to reimburse employees of the department of corrections for some of their costs attributable to their being the victims of inmate assaults. This program shall be limited to the reimbursement provided in this section.

(2) An employee is only entitled to receive the reimbursement provided in this section if the secretary of corrections, or the secretary's designee, finds that each of the following has occurred:

(a) An inmate has assaulted the employee and as a result thereof the employee has sustained injuries which have required the employee to miss days of work; and

(b) The assault cannot be attributable to any extent to the employee's negligence, misconduct, or failure to comply with any rules or conditions of employment.

(3) The reimbursement authorized under this section shall be as follows:

(a) The employee's accumulated sick leave days shall not be reduced for the workdays missed;

(b) For each workday missed for which the employee is not eligible to receive compensation under chapter 51.32 RCW, the employee shall receive full pay; and,

(c) In respect to workdays missed for which the employee will receive or has received compensation under chapter 51.32 RCW, the employee shall be reimbursed in an amount which, when added to that compensation, will result in the employee receiving full pay for the workdays missed.

(4) Reimbursement under this section may not last longer than three hundred sixty-five consecutive days after the date of the injury.

(5) The employee shall not be entitled to the reimbursement provided in subsection (3) of this section for any workday for which the secretary, or the secretary's designee, finds that the employee has not diligently pursued his or her compensation remedies under chapter 51.32 RCW.

(6) The reimbursement shall only be made for absences which the secretary, or the secretary's designee, believes are justified.

(7) While the employee is receiving reimbursement under this section, he or she shall continue to be classified as a state employee and the reimbursement amount shall be considered as salary or wages.

(8) All reimbursement payments required to be made to employees under this section shall be made by the department of corrections. The payments shall be considered as a salary or wage expense and shall be paid by the department in the same manner and from the same appropriations as other salary and wage expenses of the department.

(9) Should the legislature revoke the reimbursement authorized under this section or repeal this section, no affected employee is entitled thereafter to receive the reimbursement as a matter of contractual right.

NEW SECTION. Sec. 10. There is appropriated from the general fund to the department of corrections for the period ending December 30, 1984, the sum of forty-five thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of sections 3 through 8 of this act.

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.

NEW SECTION. Sec. 12. 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. 13. Sections 3 through 8 of this act shall expire December 30, 1984."

On page 1, line 1 of the title, after "overcrowding;" strike the remainder of the title, and insert "amending section 16, chapter 137, Laws of 1981 as amended by section 4, chapter 163, Laws of 1983 and RCW 9.94A.160; amending section 51, chapter 76, Laws of 1983 1st ex. sess. (uncodified); adding a new section to chapter 72.09 RCW; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency."

Signed by Senators Granlund, Owen; Representatives Kreidler, Wang, B. Williams.

MOTION

Mr. Kreidler moved that the report of the Free conference committee on Engrossed Senate Bill No. 4798 be adopted.

Representatives Kreidler and B. Williams spoke in favor of the motion and it was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Senate Bill No. 4798 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4798 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 7; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Haisan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Bond, Dellwo, Fuhrman, Garrett, Sanders, Stratton, Van Luven - 7.

Excused: Representative Taylor - 1.

Engrossed Senate Bill No. 4798 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act

MESSAGES FROM THE SENATE

March 6, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4421,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 6, 1984

Mr. Speaker:

The Senate has adopted:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 142,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

ESB 4421 by Senators Woody, Hayner and McManus

Modifying the provisions on the taxation of timber and timberlands.

Referred to Committee on Ways & Means

ESCR 142 by Senators Hurley, Fuller, Williams, Benitz and Goltz

Requiring legislative approval for nuclear waste disposal sites.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

March 6, 1984

SSB 3926 Prime Sponsor, Senator McDermott: Modifying provisions on deferred compensation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Brekke and Fiske.

Passed to Committee on Rules for second reading.

March 6, 1984

ESSB 4404 Prime Sponsor, Committee on Ways & Means: Providing loans for certain public works. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The director of planning and community affairs shall make loans to cities, towns, counties, and special purpose districts of the state for the construction, replacement, rehabilitation, or improvement of roads, bridges, sewers, water systems, dams, lighting, signalization, and traffic flow systems from moneys appropriated therefor from the public works assistance account under section 2 of this act. Repayments of loans made under this section and the interest thereon shall be deposited in the public works assistance account.

The director of planning and community affairs may accept any federal funds which may be available for the purposes of this section and shall deposit such funds in the public works assistance account.

NEW SECTION. Sec. 2. There is added to chapter 43.79 RCW a new section to read as follows:

(1) The public works assistance account is hereby established in the general fund. At the beginning of each biennium after June 30, 1985, the state treasurer shall transfer from the general fund to the public works assistance account an amount of money which, when combined

with money remaining in the account from the previous biennium excluding proceeds from the sale of bonds, will equal ten million dollars.

(2) Moneys in the public works assistance account may be spent only for payment of the principal and interest on bonds issued under section 3 of this act, and other purposes related to loans under section 1 of this act as specified by legislative appropriation.

(3) Bonds for which revenues to the public works assistance account have been pledged shall not be issued if such bonds will cause the aggregate debt for which revenues to the public works assistance account will be pledged to exceed that amount for which payments of principal and interest in any fiscal year will equal projected revenues to the public works assistance account for that fiscal year. However, bonds for which revenues to the public works assistance account have been pledged are general obligations of the state of Washington and shall pledge the full faith and credit of the state to payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due. The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION, Sec. 3. There is added to chapter 43.79 RCW a new section to read as follows:

The proceeds from the sale of bonds for loans under section 1 of this act shall be deposited in the public works assistance account hereby established in the general fund. Moneys in the public works assistance account may be spent only after appropriation for loans under section 1 of this act.

NEW SECTION, Sec. 4. The director of planning and community affairs shall report to the secretary of the senate and the speaker of the house of representatives by January, 1985, on the financing, management, and standards to be used in determining the allocation and distribution of moneys under section 1 of this act. The report shall include, but not be limited to, recommendations on the following:

(1) The administration of the public works assistance account, including the membership, terms, powers, and duties of an independent state public works board to review and approve projects;

(2) The most appropriate use of public works assistance account revenues;

(3) Criteria and procedures for approval of public works projects, with top priority given to projects which (a) protect public health and safety, (b) aid communities affected by natural disasters, (c) assist local areas affected by federal projects, (d) attract new employers or expand existing businesses, or (e) facilitate transportation;

(4) Financial terms and matching requirements for local governments; and

(5) Audit and reporting systems.

NEW SECTION, Sec. 5. There is appropriated from the general fund to the planning and community affairs agency for the biennium ending June 30, 1985:

(1) The sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act; and

(2) The sum of one hundred thirty-eight thousand dollars, or so much thereof as may be necessary, for the purposes of developing and maintaining an on-going evaluation system and to provide technical assistance to local government under chapter 231, Laws of 1983.

NEW SECTION, Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing institutions, and shall take effect immediately, except sections 1 and 2 of this act shall take effect July 1, 1985."

On page 1, line 1 of the title, after "works," insert "adding new sections to chapter 43.79 RCW."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Bond, Braddock, Brekke, Cantu, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

March 6, 1984

SB 4422 Prime Sponsor, Senator Fleming: Authorizing bonds for agricultural water supply facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that the agricultural industry in the state of Washington provides the foundation upon which other segments of the state's economy are based. The long-range economic well-being of the state of Washington's agricultural industry requires that agricultural water supply systems be well maintained and in efficient working order and that expansion of agricultural water supply systems be well planned in order to

produce general expansion of the state's economy, create jobs, and provide local and state tax revenues.

The legislature finds that properly planned agricultural water supply projects will also provide benefits to recreation and game and fishery resources. The purpose of this chapter is to assist in the maintenance and development of this important basic industry, assist in attracting federal funds, and promote the general welfare of the citizens of the state of Washington.

It is the intent of the legislature that allocation of waters meet the criteria of the water resources act of 1971 as specified in RCW 90.54.020(2).

NEW SECTION, Sec. 2. For the purpose of providing funds for capital improvements consisting of the planning, acquisition, construction, and improvement of agricultural water supply facilities within the state, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of forty million dollars, or so much thereof as may be required, to finance these projects and all costs incidental thereto. Bonds authorized in this section may be sold at such price as the state finance committee shall determine. No bonds authorized in this section may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

NEW SECTION, Sec. 3. The proceeds from the sale of the bonds authorized in section 2 of this act shall be deposited in the state and local improvements revolving account--water supply facilities in the general fund and shall be used exclusively for the purposes specified in sections 1 through 8 of this act and for the payment of expenses incurred in the issuance and sale of the bonds.

NEW SECTION, Sec. 4. The proceeds from the sale of the bonds deposited under section 3 of this act in the state and local improvements revolving account--water supply facilities of the general fund shall be used for water supply facilities for agricultural use alone or in combination with fishery, recreational, or other beneficial uses of water, and shall be administered by the department of ecology, subject to legislative appropriation. The department of ecology shall submit a cost benefit analysis for each water supply facility project proposed to be funded in whole or in part from the proceeds of the bonds authorized in section 2 of this act. The benefit cost analysis shall be a part of the department's request for appropriation. The department of ecology may use or permit the use of any funds derived from the sale of bonds authorized in section 2 of this act to accomplish the purpose for the issuance of the bonds by direct expenditures and by grants or loans to public bodies, including grants to public bodies as matching funds in any case where federal, local, or other funds are made available on a matching basis for improvements within the purposes of sections 1 through 8 of this act. Not more than twenty-five percent of the total cost of any project may be financed by a grant unless specifically approved by the legislature.

No bond proceeds may be allocated for agricultural water supply projects within the second half of the Columbia Basin Project.

NEW SECTION, Sec. 5. As used in sections 1 through 8 of this act, the term 'agricultural water supply facilities' means agricultural (and any associated fishery, recreational, or other beneficial use) water supply or distribution systems including but not limited to all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to the acquisition, construction, installation, or use of any such water supply or distribution system.

As used in this chapter, the term 'public body' means the state of Washington or any agency, political subdivision, taxing district, or municipal or public corporation thereof; an agency of the federal government; and those Indian tribes which may constitutionally receive grants or loans from the state of Washington.

NEW SECTION, Sec. 6. The state general obligation bond retirement fund shall be used for the payment of the principal of and interest on the bonds authorized in section 2 of this act.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet the bond retirement and interest requirements. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the general obligation bond retirement fund an amount equal to the amount certified by the state finance committee to be due on the payment date.

Bonds issued under section 2 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION, Sec. 7. The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 2 of this act, and section 6 of this act shall not be deemed to provide an exclusive method for the payment.

NEW SECTION. Sec. 8. The bonds authorized in section 2 of this act shall be a legal investment for all state funds or funds under state control and for all funds of any other public body.

NEW SECTION. Sec. 9. 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. 10. Sections 1 through 8 of this act shall constitute a new chapter in Title 43 RCW."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sanders, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Voting nay: Representatives Addison, Bond, Brekke, Cantu, Fiske and Taylor.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

March 6, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 552, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 5, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 552, permitting off-duty patrol officers to wear their uniforms while participating in public service educational programs, have had the same under consideration, and we report that we are unable to agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Warnke, Quigg; Representatives Niemi, Halsan, West.

MOTION

On motion of Ms. Niemi, the House adopted the report of the Conference Committee on Substitute House Bill No. 552, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

March 6, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SECOND SUBSTITUTE HOUSE BILL NO. 689, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 4, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SECOND SUBSTITUTE HOUSE BILL NO. 689, establishing small business assistance coordinating council, have had the same under consideration, and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the small businesses in the state of Washington are essential to the well-being of the state's economy and that these businesses have unique needs and problems that must be dealt with to insure a healthy economy for all of the citizens of the state. The legislature further recognizes that small businesses represent a majority of the businesses in this state and that it is vital that the ability of small businesses be enhanced to provide more jobs for Washington workers, insure essential economic competition, and broaden the industrial base of Washington industries. To stimulate the expansion of small business growth and resultant new jobs, the legislature finds that:

(1) There is a need for an overall coordination within the state that can integrate, coordinate, and provide services to small businesses and more efficiently use the individual operating entities as they now exist; and

(2) There is a need for additional services for the small business community in the areas of financing, dealing with regulatory problems, and encouraging more small businesses to export their products and services overseas.

(3) There is a need for an advisory council to establish long-range policy recommendations for state delivered small business programs.

NEW SECTION, Sec. 2. As used in this chapter, a "small business assistance program" is any service offered by a unit of state government where the majority of the services attempt to aid or assist in the establishment, expansion, or management of a small business as defined in RCW 43.31.920.

NEW SECTION, Sec. 3. (1) There is established the small business assistance coordinating council, referred to in this chapter as "the council."

(2) The council shall consist of nine persons, three of whom shall be appointed by the governor. The council shall include the director of commerce and economic development or its successor, the director of planning and community affairs or its successor, two members of the house of representatives, one from each of the two political parties with the largest number of members, appointed by the speaker of the house of representatives from the house committee on commerce and economic development or its successor, and two members of the senate, one from each of the two political parties with the largest number of members, appointed by the president of the senate from the senate committee on commerce and labor or its successor. The members appointed by the governor shall include representatives of small businesses from the various geographic areas of the state one or two of whom shall also represent minority-owned business and women-owned business. The council shall elect a chairman from among the voting members. The planning and community affairs agency or its successor is responsible for providing administrative support to the council and shall keep a record of the proceedings of each council meeting.

(3) All voting members of the council shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(4) If a vacancy in an appointive position on the council occurs by death, resignation, or otherwise, the governor shall fill the position for the unexpired term. Any members of the council, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor.

NEW SECTION, Sec. 4. The council shall be responsible for:

(1) Reviewing the small business assistance programs now being offered by all units of state government except the federally funded service centers administered by the department of transportation and approved by the federal highway administration;

(2) Reviewing the contract between the small business development center and the federal small business administration, and the contract between the small business development center and the federal economic development administration; and

(3) Reviewing the coordination of all small business assistance programs and making recommendations to reduce duplication of services and to increase the efficiency of available programs.

NEW SECTION, Sec. 5. To enable the council to carry out its responsibilities, every unit of state government which provides a small business assistance program shall report to the small business assistance coordinating council in writing by September 1, 1984. The report shall include:

(1) A description of the small business assistance program offered by the unit of state government;

(2) The amount of state funds expended to operate the small business assistance program;

(3) The sources and amount of any other funds available to the unit of government to operate a small business assistance program and the extent to which the funds are being used by the unit of state government;

(4) The method by which the activity is being delivered by the unit of state government to the small business community;

(5) Information on the benefits derived from the program; and

(6) Any other information as may be requested by the council.

NEW SECTION, Sec. 6. The small business assistance coordinating council shall report to the legislature and governor by December 31, 1984, on recommendations to improve the dissemination of small business assistance in the state. The report shall include:

(1) A description of the types, quantity, and benefits of small business assistance available in the state including federal, state, and local programs;

(2) A description of the available services and the unmet need for small business assistance in the following areas:

(a) General small business management and technical assistance;

(b) Community development assistance, including loan packaging, proposal writing, development planning, and commercial development;

(c) Entrepreneurial development, innovative assessment, and technology transfer; and

(d) Export assistance and financing;

(3) A set of recommendations to improve the delivery and efficiency of small business assistance and to reduce duplication of effort where possible.

NEW SECTION, Sec. 7. (1) There is established the small business improvement council to consist of at least fifteen but not more than thirty members to be appointed by the governor. In making the appointments, the governor shall consider the recommendations of business organizations and persons operating small businesses. At least fifteen percent of the members of the council shall be women or members of minority groups, and at least one member of the council shall represent agribusiness concerns. Members of the small business improvement council shall be appointed for terms of four years, but the governor may modify the terms of the initial members as necessary to achieve staggered terms.

(2) Members of the small business improvement council shall not be compensated or be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) The department of commerce and economic development or its successor agency shall provide staff support and administrative assistance to the council.

NEW SECTION, Sec. 8. The small business improvement council shall seek to identify regulatory, administrative, and legislative proposals that will improve the entrepreneurial environment for small businesses. In consultation with the department of commerce and economic development and the appropriate standing committees of the senate and house of representatives, the small business improvement council shall submit its proposals to the governor and the legislature prior to the convening of each regular session of the legislature. The proposals shall include the recommendations of the council's subcommittees established under section 9 of this act.

NEW SECTION, Sec. 9. (1) The small business improvement council may establish such subcommittees as the council deems necessary. Membership of subcommittees need not be limited to members of the council.

(2) Subcommittees of the council shall include:

(a) A subcommittee on small business taxation;

(b) A subcommittee on small business venture and management education;

(c) A subcommittee on private sector contract services; and

(d) Other subcommittees as deemed necessary on appropriate subjects, i.e., capital formation and retention, marketing, unemployment compensation, and rules and regulations.

(3) The department of commerce and economic development may assist in the formation of local advisory councils. The persons serving on the local advisory councils shall not be compensated or reimbursed for travel expenses.

NEW SECTION, Sec. 10. The subcommittee on small business taxation shall study the present business tax structure and investigate related proposals to attract and encourage small businesses in the state.

The subcommittee on small business taxation may conduct studies, hold public hearings, and employ consultants as necessary to carry out the purposes of the subcommittee.

NEW SECTION, Sec. 11. The subcommittee on small business venture and management education shall encourage the implementation of small business venture and management education programs in the state's community colleges and vocational-technical institutes. Such education programs shall provide instruction in the formation, operation, and management of a small business. The subcommittee shall assist in curriculum development, promotion, and marketing of these education programs. Emphasis shall be given to part-time, evening, and weekend class offerings.

NEW SECTION, Sec. 12. The subcommittee on private sector contract services shall have as its mission the identification of program and service areas within state and local government which can and should be contracted out on a competitive bid basis to private sector organizations. In particular, the subcommittee shall identify those governmental services that the private sector can perform more efficiently than the public sector, with equal or better quality of service. The goal of this program is to reduce the cost of government while improving the delivery of services.

The subcommittee on private sector contract services shall include representatives of government, business, and industry.

NEW SECTION, Sec. 13. This chapter shall expire June 30, 1988.

NEW SECTION, Sec. 14. Sections 7 through 13 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION, Sec. 15. There is appropriated to the small business improvement council for the biennium ending June 30, 1985, from the general fund the sum of thirty-seven thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of sections 7 through 12 of this act.

NEW SECTION, Sec. 16. There is appropriated from the general fund for the year ending December 31, 1984, to the planning and community affairs agency or its successor the sum of forty-five thousand dollars, or so much thereof as may be necessary, to carry out the purposes of the small business assistance coordinating council.

NEW SECTION. Sec. 17. 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. 18. Sections 1 through 6 of this act shall expire on December 31, 1984.

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."

On page 1, line 1 of the title, after "business;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; creating new sections; making appropriations; providing expiration dates; and declaring an emergency."

Signed by Senators McManus, Quigg, Moore; Representatives J. King, Ebersole, Silver.

MOTION

On motion of Mr. J. King, the House adopted the report of the Free Conference Committee on Second Substitute House Bill No. 689.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Second Substitute House Bill No. 689 as amended by Free Conference Committee.

Ms. Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 689 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker. - 95.

Voting nay: Representatives Fisch, Tanner - 2.

Excused: Representative Taylor - 1.

Second Substitute House Bill No. 689 as amended by 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 SENATE

March 6, 1984

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 843, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators McDermott, Newhouse, Shinpoch, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Monohon, the House granted the request of the Senate for a conference on Substitute House Bill No. 843.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Monohon, Sommers and Cantu to serve as conferees on Substitute House Bill No. 843.

MESSAGE FROM THE SENATE

March 3, 1984

Mr. Speaker:

The Senate insists on its position on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1660 and the Senate amendments thereto, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Galloway moved that the House do not concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1660, and ask the Senate for a conference thereon.

Representatives Galloway and Schoon spoke in favor of the motion and it was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Galloway, P. King and Schoon to serve as conferees on Engrossed Second Substitute House Bill No. 1660.

REPORT OF CONFERENCE COMMITTEE

March 5, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4381, revising various elections laws, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Fleming; Representatives Pruitt, Fisher.

MOTION

Mr. Pruitt moved that the House adopt the report of the Conference Committee on Substitute Senate Bill No. 4381 and grant the committee powers of Free Conference.

POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, House Rule 12(E) prohibits an amendment which changes the scope and object of a bill. The point, Mr. Speaker, is does the scope and object rule apply to amendments proposed by a Free Conference Committee?"

SPEAKER'S RULING

The Speaker: "Representative Barrett, the Joint Rules which deal with Conference reports, Rule 8 of our Joint Rules, supersedes the scope and object. I would like to read the pertinent section of Rule 8. 'In cases of failure of the conferees to agree on matters directly at issue between the two houses, the committee may in addition consider new proposed items within the scope and object of the title of the bill in conference for the purpose of requesting the powers of free conference.' I hope that answers your inquiry."

Mr. Barrett: "Mr. Speaker, in my rules labeled 'Permanent Rules of the House of Representatives, 48th Legislature,' I bring up the point of parliamentary inquiry that the official rules make no mention of anything called Joint Rules. In the permanent rules, the only Free Conference Report reference is Rule 26. It does not make reference to the point you just read. My point, Mr. Speaker, is under what authority does this body look to the Joint Rules when we have so many rules?"

The Speaker: "Representative Barrett, the Speaker observes that the Joint Rules are in place for the purpose of determining or settling matters of dispute between the two bodies and that is the purpose of Rule 8 or the Speaker's Ruling."

Mr. Barrett: "To clarify something which I don't think has been clarified in this body, Mr. Speaker, first, I wasn't aware that our discussion here this evening

involved any dispute between the two bodies and so I bring it up from the standpoint that it doesn't appear to be a dispute on this floor at this time between the two bodies. If I may go back to your ruling on the scope and object, as I understood it, you said that the scope and object does not apply to the Free Conference Committee, which as I gathered then would indicate that we allow a new bill to come in from a Free Conference report. Mr. Speaker, I would ask the members of this body to read Article II, section 36 of our State Constitution, in the light of your ruling that this would then be a new bill."

Mr. Pruitt spoke in favor of the motion, and Representatives Tilly and Burns spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House grant powers of Free Conference on Substitute Senate Bill No. 4381, and the motion was carried by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Excused: Representative Taylor - 1.

MESSAGE FROM THE SENATE

March 6, 1984

Mr. Speaker:

The Senate refused to concur in the House amendment to ENGROSSED SENATE BILL NO. 4407, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Hurley, McDermott, Lee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Dellwo, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 4407.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Dellwo, Grimm and Vander Stoep as conferees on Engrossed Senate Bill No. 4407.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1984

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1201 with the following amendments:

On page 5, line 21 after "purposes" insert "or cultural or art educational programs as defined in RCW 82.04.4328"

On page 13, after line 7, insert the following:

"Sec. 18. Section 84.64.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 322, Laws of 1981 and RCW 84.64.030 are each amended to read as follows:

Any time after the expiration of three years from the original date of delinquency of any tax included in a certificate of delinquency, the holder of any certificate of delinquency may give notice and summons to the owner of the property described in such certificate that he or she will apply to the superior court of the county in which such property is situated for a judgment foreclosing the lien against the property mentioned therein. Such notice and summons shall contain:

(1) The title of the court, the description of the property and the name of the owner thereof, if known, the name of the holder of the certificate, the date thereof, and the amount for which it was issued, the year or years for the delinquent taxes for which it was issued, the amount of all taxes paid for prior or subsequent years, and the rate of interest on said amount.

(2) A direction to the owner summoning him or her to appear within sixty days after service of the notice and summons, exclusive of the day of service, and defend the action or pay the amount due, and when service is made by publication a direction to the owner, summoning him or her to appear within sixty days after the date of the first publication of the notice and summons, exclusive of the day of said first publication, and defend the action or pay the amount due.

(3) A notice that, in case of failure so to do, judgment will be rendered foreclosing the lien of such taxes and costs against the land and premises named.

The notice and summons shall be subscribed by the holder of the certificate of delinquency, or by someone in his or her behalf, and residing within the state of Washington, and upon whom all process may be served.

A copy of said notice and summons shall be delivered to the county treasurer. Thereafter when any owner of real property or person interested therein seeks to redeem as provided in RCW 84.64.070, the treasurer shall ascertain the amount of costs accrued in foreclosing said certificate and include said costs as a part of the redemption required to be paid. Cost incurred for a title search required by RCW 84.64.050 shall be included.

The notice and summons shall be served in the same manner as a summons in a civil action is served in the superior court.

The county treasurer shall not issue certificates of delinquency upon property ((owned and occupied as a principal place of residence by a person sixty-two years of age or older)) which is eligible for deferral of taxes under chapter 84.38 RCW but shall require the owner of the property to file a declaration to defer taxes under chapter 84.38 RCW.

Sec. 19. Section 84.64.050, chapter 15, Laws of 1961 as last amended by section 4, chapter 322, Laws of 1981 and RCW 84.64.050 are each amended to read as follows:

After the expiration of three years from the date of delinquency, when any property remains on the tax rolls for which no certificate of delinquency has been issued, the county treasurer shall proceed to issue certificates of delinquency on said property to the county for all years' taxes, interest, and costs: PROVIDED, That the county treasurer, with the consent of the county legislative authority, may elect to issue a certificate for fewer than all years' taxes, interest, and costs to a minimum of the taxes, interest, and costs for the earliest year.

The change to a three-year grace period shall first be effective on May 1, 1983. Prior to that date, the county treasurer shall send a notice to all taxpayers with taxes delinquent for two years or more, notifying them of the change in the grace period. The treasurer shall file said certificates when completed with the clerk of the court, and the treasurer shall thereupon, with such legal assistance as the county legislative authority shall provide in counties having a population of thirty thousand or more, and with the assistance of the county prosecuting attorney in counties having a population of less than thirty thousand, proceed to foreclose in the name of the county, the tax liens embraced in such certificates, and the same proceedings shall be had as when held by an individual: PROVIDED, That notice and summons must be served or notice given in a manner reasonably calculated to inform the owner or owners of the foreclosure action. Either (1) personal service upon the owner or owners or (2) publication once in a newspaper of general circulation, which is circulated in the area of the property and mailing of notice by certified mail to the owner or owners or, if a mailing address is unavailable, personal service upon the occupant of the property, if any, is sufficient. In addition to describing the property as the same is described on the tax rolls, the notice must include the local street address, if any. It shall be the duty of the county treasurer to mail a copy of the published summons, within fifteen days after the first publication thereof, to the treasurer of each city or town within which any property involved in a tax foreclosure is situated, but the treasurer's failure to do so shall not affect the jurisdiction of the court nor the priority of any tax sought to be foreclosed. Said certificates of delinquency issued to the county may be issued in one general certificate in book form including all property, and the proceedings to foreclose the liens against said property may be brought in one action and all persons interested in any of the property involved in said proceedings may be made codefendants in said action, and if unknown may be therein named as unknown owners, and the publication of such notice shall be sufficient service thereof on all persons interested in the property described therein, except as provided above. The person or persons whose name or names appear on the treasurer's rolls as the owner or owners of said property shall be considered and treated as the owner or owners of said property for the purpose of this section, and if upon said treasurer's rolls it appears that the owner or owners of said property are unknown, then said property shall be proceeded against, as belonging to an unknown owner or owners, as the case may be, and all persons owning or claiming to own, or having or claiming to have an interest therein, are hereby required to take notice of said proceedings and of any and all steps thereunder: PROVIDED, That, at least thirty days prior to the sale of the property, if such property is shown on the tax rolls under unknown owners or as having an assessed value of three thousand dollars or more, the treasurer shall order or conduct a title search of the property to be sold to determine the legal description of the property to be sold and the record title holder, and if the record title holder or holders differ from the person or persons whose name or names appear

on the treasurer's rolls as the owner or owners, the record title holder or holders shall be considered and treated as the owner or owners of said property for the purpose of this section, and shall be entitled to the notice provided for in this section.

The county treasurer shall not issue certificates of delinquency upon property (~~owned and occupied as a principal place of residence by a person sixty-two years of age or older~~) which is eligible for deferral of taxes under chapter 84.38 RCW but shall require the owner of the property to file a declaration to defer taxes under chapter 84.38 RCW."

Renumber the sections consecutively and correct any internal references accordingly.

On page 13, line 16, delete "elects" and insert "either elects or is required under RCW 84.64.030 or 84.64.050"

On page 16, line 19, after "due" and before ";" insert "or thirty days after receiving notice under RCW 84.64.030 or 84.64.050, whichever is later"

On page 1, line 28 of the title, after "84.40.390;" insert "amending section 84.64.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 322, Laws of 1981 and RCW 84.64.030; amending section 84.64.050, chapter 15, Laws of 1961 as last amended by section 4, chapter 322, Laws of 1981 and RCW 84.64.050;"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

Mr. Grimm moved that the House do concur in the Senate amendment to page 13 and the title amendment, and do not concur in the amendment to page 5, line 21.

On motion of Mr. Wilson, the question was divided.

The Speaker stated the question before the House to be the motion that the House do not concur in the Senate amendment to page 5, line 21.

Mr. Wilson moved that the House do concur in the Senate amendment to page 5, line 21.

Mr. Wilson spoke in favor of the motion and Mr. Grimm spoke against it.

Mr. Wilson spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to page 5, line 21 of House Bill No. 1201, and the motion was lost by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King R. Lewis, Long, Miller, Mitchell, Moon, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L, Struthers, Tilly, Van Dyken, Van Luvén, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 49.

Excused: Representative Taylor - 1.

The Speaker stated the question before the House to be the motion that the House do concur in the Senate amendment to page 13 and the title amendment.

The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 20, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1304 with the following amendments:

On page 8, after line 19 insert:

"NEW SECTION. Sec. 3. There is added to chapter 41.40 RCW a new section to read as follows:

The director is authorized to waive RCW 41.40.120(3) for any retired member who qualifies for reentry under RCW 41.40.150(6)(b)."

On page 1, line 3 of the title strike "and" and on line 4 after "RCW" insert "; and adding a new section to chapter 41.40 RCW"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Monohon moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1304.

POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Monohon, the Senate amendment is relatively short. It states that 'The director is authorized to waive RCW 41.40.120(3) for any retired member who qualifies for reentry under RCW 41.40.150(6)(b).' We asked our staff to research it and the intent is unclear to me as to what that amendment does. We did receive back an analysis that the amendment is unclear. There are three possible interpretations. One is that the Director of DRS could waive the entire section 41.40.120 thereby mandating that persons who become elected or appointed officials become active PERS members and give up the benefits they are now receiving until they retire from their elected or appointed positions. Two other interpretations were identified as being possible. One is that the Director of Department of Retirement Systems could waive the eight-year limit and exercise the option that they join PERS; or two, the Director could also waive the employer and employee contributions for previous credit of service for elected state officials. My question, Representative Monohon, could you give me your insight as to what is likely to be the intent of the proposed Senate amendment?"

Ms. Monohon: "I agree with you that the Senate amendment is unclear. The most common interpretation of this amendment in the opinion of myself, Peter Huntley, our staff and Dr. Hollister is that the Director of DRS can waive the entire section 41.40.120(3) thereby mandating that PERS retired members could become elected or appointed officials, become active PERS members and give up the pension benefits they are now receiving until they retire from their elected or appointed position. This option is now available to elected or appointed officials."

Mr. Cantu spoke in favor of the motion to concur and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 1304 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1304 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruiitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Engrossed House Bill No. 1304 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 Mr. Heck, the House reverted to the fifth order of business.

REPORT OF STANDING COMMITTEE

March 6, 1984

ESSB 3169

Prime Sponsor, Committee on Natural Resources: Making various housekeeping changes in the game laws. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 5 strike "moose."

On page 3, beginning on line 22 strike all of subsection (7) and insert

"~~((7) The fee for a moose stamp is one hundred dollars.))"~~

Renumber the remaining subsections consecutively.

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Fuhrman, Haugen, Isaacson, Johnson, P. King, McClure, Mitchell, Sayan, L. Smith, Sommers, Sutherland and Vekich.

Voting nay: Representative Sanders.

Absent: Representatives Belcher, Fiske, McMullen, Miller, Tanner, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

March 4, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 4, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, restricting utilities from terminating utility service for residential space heat, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 35.21.300, chapter 7, Laws of 1965 and RCW 35.21.300 are each amended to read as follows:

(1) The lien for charges for service by a city waterworks, or electric light or power plant may be enforced only by cutting off the service until the delinquent and unpaid charges are paid, except that until June 30, 1986, electricity for residential space heating may be terminated between November 15 and March 15 only as provided in subsection (2) of this section. In the event of a disputed account and tender by the owner of the premises of the amount he claims to be due before the service is cut off, the right to refuse service to any premises shall not accrue until suit has been entered by the city and judgment entered in the case.

(2) Until June 30, 1986:

(a) Electricity for residential space heating shall not be terminated between November 15 through March 15 if the customer:

(i) Notifies the utility of the inability to pay the bill. This notice shall be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances;

(ii) Brings a statement from the department of social and health services or a grantee of the planning and community affairs agency which administers federally funded energy assistance programs, that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and which provides a dollar figure that is seven percent of household income;

(iii) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(iv) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is applicable for the dwelling;

(v) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but the plan shall not be invalidated unless payment during this period is less than seven percent. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(vi) Agrees to pay the moneys owed even if he or she moves.

(b)The utility shall:

(i) Include in any notice that an account is delinquent and that service may be subject to termination a description of the customer's duties in this subsection;

(ii) Assist the customer in fulfilling the requirements under this subsection;

(iii) Be authorized to transfer an account to a new residence when a customer who has established a plan under this subsection moves from one residence to another within the same utility service area; and

(iv) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this subsection.

(c) In distributing energy assistance funds pursuant to 42 U.S.C. Sec. 8624, the department of social and health services and grantees of the planning and community affairs agency shall make all payments either directly to the utility or jointly payable to the customer and the utility.

(3) All municipal utilities shall offer residential customers the option of a budget billing or equal payment plan.

NEW SECTION. Sec. 2. There is added to chapter 54.16 RCW a new section to read as follows:

(1) A district providing utility service for residential space heating shall not terminate such utility service between November 15 through March 15 if the customer:

(a) Notifies the utility of the inability to pay the bill. This notice shall be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances;

(b) Brings a statement from the department of social and health services or a grantee of the planning and community affairs agency which administers federally funded energy assistance programs, that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and which provides a dollar figure that is seven percent of household income;

(c) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(d) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is applicable for the dwelling;

(e) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but the plan shall not be invalidated unless payment during this period is less than seven percent. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(f) Agrees to pay the moneys owed even if he or she moves.

(b) The utility shall:

(a) Include in any notice that an account is delinquent and that service may be subject to termination a description of the customer's duties in this section;

(b) Assist the customer in fulfilling the requirements under this section;

(c) Be authorized to transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the same utility service area; and

(d) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this section.

(3) In distributing energy assistance funds pursuant to 42 U.S.C. Sec. 8624, the department of social and health services and grantees of the planning and community affairs agency shall make payments either directly to the utility or jointly payable to the customer and the utility.

(4) This section shall expire June 30, 1986.

NEW SECTION. Sec. 3. There is added to chapter 54.16 RCW a new section to read as follows:

All districts shall offer to residential customers the option of a budget billing or equal payment plan.

Sec. 4. Section 80.28.010, chapter 14, Laws of 1961 and RCW 80.28.010 are each amended to read as follows:

(1) All charges made, demanded or received by any gas company, electrical company or water company for gas, electricity or water, or for any service rendered or to be rendered in connection therewith, shall be just, fair, reasonable and sufficient.

(2) Every gas company, electrical company and water company shall furnish and supply such service, instrumentalities and facilities as shall be safe, adequate and efficient, and in all respects just and reasonable.

(3) All rules and regulations issued by any gas company, electrical company or water company, affecting or pertaining to the sale or distribution of its product, shall be just and reasonable.

(4) Until June 30, 1986:

(a) Utility service for residential space heating shall not be terminated between November 15 through March 15 if the customer:

(i) Notifies the utility of the inability to pay the bill. This notice shall be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances;

(ii) Brings a statement from the department of social and health services or a grantee of the planning and community affairs agency which administers federally funded energy assistance programs, that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and which provides a dollar figure that is seven percent of household income;

(iii) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(iv) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is applicable for the dwelling;

(v) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but the plan shall not be invalidated unless payment during this period is less than seven percent. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(vi) Agrees to pay the moneys owed even if he or she moves.

(b) The utility shall:

(i) Include in any notice that an account is delinquent and that service may be subject to termination a description of the customer's duties in this subsection;

(ii) Assist the customer in fulfilling the requirements under this subsection;

(iii) Be authorized to transfer an account to a new residence when a customer who has established a plan under this subsection moves from one residence to another within the same utility service area; and

(iv) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this subsection.

(c) In distributing energy assistance funds pursuant to 42 U.S.C. Sec. 8624, the department of social and health services and grantees of the planning and community affairs agency shall make all payments either directly to the utility or jointly payable to the customer and the utility.

(d) A payment plan implemented under this subsection is consistent with RCW 80.28.080.

(5) Every gas company and electrical company shall offer residential customers the option of a budget billing or equal payment plan.

(6) Every gas company, electrical company and water company shall construct and maintain such facilities in connection with the manufacture and distribution of its product as will be efficient and safe to its employees and the public.

NEW SECTION. Sec. 5. There is added to chapter 35.21 RCW a new section to read as follows:

Until 1986, cities and towns distributing electricity shall report annually to the legislature for utilities subject to its jurisdiction: (1) The extent to which chapter ____ (Engrossed Substitute Senate Bill No. 4490), Laws of 1984 benefits low income persons, and (2) the costs and benefits to other customers.

This section shall expire June 30, 1986.

NEW SECTION. Sec. 6. There is added to chapter 54.16 RCW a new section to read as follows:

Until 1986, districts distributing electricity shall report annually to the legislature for utilities subject to its jurisdiction: (1) The extent to which chapter ____ (Engrossed Substitute Senate Bill

No. 4490), Laws of 1984 benefits low income persons, and (2) the costs and benefits to other customers.

This section shall expire June 30, 1986.

NEW SECTION. Sec. 7. There is added to chapter 80.28 RCW a new section to read as follows:

Until 1986, the Washington utilities and transportation commission shall report annually to the legislature for utilities subject to its jurisdiction: (1) The extent to which chapter _____ (Engrossed Substitute Senate Bill No. 4490), Laws of 1984 benefits low income persons, and (2) the costs and benefits to other customers.

This section shall expire June 30, 1986."

On page 1, line 1 of the title, after "heating;" strike the remainder of the title and insert "amending section 35.21.300, chapter 7, Laws of 1965 and RCW 35.21.300; amending section 80.28.010, chapter 14, Laws of 1961 and RCW 80.28.010; adding a new section to chapter 35.21 RCW; adding new sections to chapter 54.16 RCW; and adding a new section to chapter 80.28 RCW."

Signed by Senators Williams, McDermott, Hemstad; Representatives D. Nelson, Sutherland.

MOTION

Mr. D. Nelson moved that the House do not adopt the report of the Free Conference Committee, and again ask for powers of Free Conference.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, the little hand is on the 10 and the big hand is on the 1, and I ask the Speaker to invoke Rule 14(D) which is not debatable."

MOTION

Mr. Heck moved that the rules be suspended to allow the House to continue the business at hand.

POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "How many votes would it require to pass this motion?"

The Speaker: "A majority of the members present."

ROLL CALL

The Clerk called the roll on the motion to suspend the rules to allow consideration of business pending beyond 10:00 p.m., and the motion was carried by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representative Taylor - 1.

The Speaker stated the question before the House to be the motion by Representative D. Nelson that the House do not adopt the report of the Free Conference Committee, and again ask for powers of Free Conference.

Mr. D. Nelson spoke in favor of the motion and it was carried.

MOTION

On motion of Mr. Heck, the House was adjourned until 10:00 a.m., Wednesday, March 7, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

FIFTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 7, 1984

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Paula Deck and Christina Keimig. Prayer was offered by Pastor Ron Long, Church of the Living Water of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1660, and the President has appointed as Senate conferees: Senators Gaspard, Bauer, Craswell.

Bill Gleason, Assistant Secretary.

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference committee on ENGROSSED SENATE BILL NO. 4798, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 6, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3194, authorizing department to destroy vehicle license renewal applications upon entering the information contained on them into the computer system, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free conference in order to amend the bill.

Signed by Senators Peterson, Hansen, Patterson; Representatives Walk, Sutherland, Wilson.

MOTION

On motion of Mr. Walk, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 3194, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 843, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 6, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 843, modifying provisions relating to retirement from public services, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Shinpoch, McDermott, Newhouse; Representatives Monohon, Sommers, Cantu.

MOTION

On motion of Ms. Monohon, the House adopted the report of the Conference Committee on Substitute House Bill No. 843, and granted committee powers of Free Conference.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 552, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 6, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 552, permitting off-duty patrol officers to wear their uniforms while participating in public service educational programs, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike everything after the enacting clause and insert:

NEW SECTION, Sec. 1. There is added to chapter 43.43 RCW a new section to read as follows:

(1) The chief of the Washington state patrol shall designate twenty-four or more officers as traffic safety education officers. The chief of the Washington state patrol shall make the designations in a manner designed to ensure that the programs under subsection (2) of this section are reasonably available in all areas of the state.

(2) The chief of the Washington state patrol may permit these traffic safety education officers to appear in their off-duty hours in uniform to give programs in schools or the community on the duties of the state patrol, traffic safety, or crime prevention.

(3) The traffic safety education officers may accept such pay and reimbursement of expenses as are approved by the state patrol from the sponsoring organization.

(4) The state patrol is encouraged to work with community organizations to set up these programs state-wide.

NEW SECTION, Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Senators Warnke, Quigg; Representatives Niemi, Halsan, West.

MOTION

On motion of Ms. Niemi, the House adopted the report of the Free Conference Committee on Substitute House Bill No. 552.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 552 as amended by the Free Conference Committee.

Representatives Halsan and West spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 552 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting ye: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Tanner - 1.

Substitute House Bill No. 552 as amended by 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 SENATE

March 5, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 1386, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 5, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 1386, modifying provisions relating to third party actions for industrial injuries, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. There is added to chapter 51.24 RCW a new section to read as follows:

(1) Actions against third persons that are assigned by the claimant to the department, voluntarily or by operation of law in accordance with chapter 51.24 RCW, may be prosecuted by special assistant attorneys general.

(2) The attorney general shall select special assistant attorneys general from a list compiled by the department and the Washington state bar association. The attorney general, in conjunction with the department and the Washington state bar association, shall promulgate rules and regulations outlining the criteria and the procedure by which private attorneys may have their names placed on the list of attorneys available for appointment as special assistant attorneys general to litigate third party actions under subsection (1) of this section.

Sec. 2. Section 51.24.020, chapter 23, Laws of 1961 as last amended by section 31, chapter 350, Laws of 1977 ex. sess. and RCW 51.24.020 are each amended to read as follows:

If injury ~~((or death))~~ results to a worker from the deliberate intention of his or her employer to produce such injury ~~((or death))~~, the worker ~~((-surviving spouse, child, or dependent))~~ or beneficiary of the worker shall have the privilege to take under this title and also have cause of action against the employer as if this title had not been enacted, for any damages in excess of ~~((damages over the amount received or receivable))~~ compensation and benefits paid or payable under this title.

Sec. 3. Section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030 are each amended to read as follows:

(1) If ~~((the))~~ an injury to a worker for which benefits and compensation are provided under this title is due to the negligence or wrong of a third person not in the same employ, the injured worker or beneficiary may elect to seek damages from the third person.

(2) For the purposes of this chapter, 'injury' shall include any physical or mental condition, disease, ailment or loss, including death, for which compensation and benefits are paid or payable under this title.

Sec. 4. Section 3, chapter 85, Laws of 1977 ex. sess. as amended by section 1, chapter 211, Laws of 1983 and RCW 51.24.050 are each amended to read as follows:

(1) An election not to proceed against the third person operates as an assignment of the cause of action to the department or self-insurer, which may prosecute or compromise the action in its discretion in the name of the injured worker, beneficiary or legal representative.

(2) If an injury to a worker results in the worker's death, the department or self-insurer to which the cause of action has been assigned may petition a court for the appointment of a

special personal representative for the limited purpose of maintaining an action under this chapter and chapter 4.20 RCW.

(3) If a beneficiary is a minor child, an election not to proceed against a third person on such beneficiary's cause of action may be exercised by the beneficiary's legal custodian or guardian.

(4) Any ((award or settlement recovered)) recovery made by the department or self-insurer shall be distributed as follows:

(a) The department or self-insurer shall be paid the expenses incurred in making the recovery including reasonable costs of legal services;

(b) The injured worker or beneficiary shall be paid twenty-five percent of the balance of the ((award or settlement)) recovery made, which shall not be subject to subsection ((3)) (5) of this section: PROVIDED, That in the event of a compromise and settlement by the parties, the injured worker or beneficiary may agree to a sum less than twenty-five percent;

(c) The department and/or self-insurer shall be paid the compensation and benefits paid to or on behalf of the injured worker or beneficiary by the department and/or self-insurer; and

(d) The injured worker or beneficiary shall be paid any remaining balance.

((3)) (5) Thereafter no payment shall be made to or on behalf of a worker or beneficiary by the department and/or self-insurer for such injury until the amount of any further compensation ((or)) and benefits shall equal any such remaining balance. Thereafter, such benefits shall be paid by the department and/or self-insurer to or on behalf of the worker or beneficiary as though no ((third party person claim)) recovery had been made from a third person.

((4)) (6) In the case of an employer not qualifying as a self-insurer, the department shall make a retroactive adjustment to such employer's experience rating in which the third party claim has been included to reflect that portion of the award or settlement which is reimbursed for compensation and benefits paid and, if the claim is open at the time of recovery, applied against further compensation or benefits to which the injured worker or beneficiary may be entitled.

(7) When the cause of action has been assigned to the self-insurer and compensation and benefits have been paid and/or are payable from state funds for the same injury:

(a) The prosecution of such cause of action shall also be for the benefit of the department to the extent of compensation and benefits paid and payable from state funds;

(b) Any compromise or settlement of such cause of action which results in less than the entitlement under this title is void unless made with the written approval of the department;

(c) The department shall be reimbursed for compensation and benefits paid from state funds;

(d) The department shall bear its proportionate share of the costs and reasonable attorneys' fees incurred by the self-insurer in obtaining the award or settlement; and

(e) Any remaining balance under subsection (4)(d) of this section shall be applied, under subsection (5) of this section, to reduce the obligations of the department and self-insurer to pay further compensation and benefits in proportion to which the obligations of each bear to the remaining entitlement of the worker or beneficiary.

Sec. 5. Section 4, chapter 85, Laws of 1977 ex. sess. as amended by section 2, chapter 211, Laws of 1983 and RCW 51.24.060 are each amended to read as follows:

(1) ((In an action by the injured worker or beneficiary against the third person)) If the injured worker or beneficiary elects to seek damages from the third person, any ((award or settlement)) recovery made shall be distributed as follows:

(a) The costs and reasonable attorneys' fees shall be paid proportionately by the injured worker or beneficiary and the department and/or self-insurer;

(b) The injured worker or beneficiary shall be paid twenty-five percent of the balance of the award: PROVIDED, That in the event of a compromise and settlement by the parties, the injured worker or beneficiary may agree to a sum less than twenty-five percent;

(c) The department and/or self-insurer shall be paid the balance of the ((award)) recovery made, but only to the extent necessary to reimburse the department and/or self-insurer for compensation ((or)) and benefits paid;

(i) The department and/or self-insurer shall bear its proportionate share of the costs and reasonable attorneys' fees incurred by the ((claimant)) worker or beneficiary to the extent of the benefits paid or payable under this title: PROVIDED, That the department or self-insurer may require court approval of costs and attorneys' fees or may petition a court for determination of the reasonableness of costs and attorneys' fees.

(ii) The sum representing the department's and/or self-insurer's proportionate share shall not be subject to subsection (1) (d) and (e) of this section.

(d) Any remaining balance shall be paid to the injured worker or beneficiary;

(e) Thereafter no payment shall be made to or on behalf of a worker or beneficiary by the department and/or self-insurer for such injury until the amount of any further compensation ((or)) and benefits shall equal any such remaining balance. Thereafter, such benefits shall be paid by the department and/or self-insurer to or on behalf of the worker or beneficiary as though no ((third party person claim)) recovery had been made from a third person.

(2) The ((award or settlement)) recovery made shall be subject to a lien by the department and/or self-insurer for its share under this section.

(3) The department or self-insurer has sole discretion to compromise the amount of its lien. In deciding whether or to what extent to compromise its lien, the department or self-insurer shall consider at least the following:

(a) The likelihood of collection of the award or settlement as may be affected by insurance coverage, solvency, or other factors relating to the third person;

(b) Factual and legal issues of liability as between the injured worker or beneficiary and the third person. Such issues include but are not limited to possible contributory negligence and novel theories of liability; and

(c) Problems of proof faced in obtaining the award or settlement.

(4) In the case of an employer not qualifying as a self-insurer, the department shall make a retroactive adjustment to such employer's experience rating in which the third party claim has been included to reflect that portion of the award or settlement which is reimbursed for compensation and benefits paid and, if the claim is open at the time of recovery, applied against further compensation ((or)) and benefits to which the injured worker or beneficiary may be entitled.

(5) In an action under this section, the self-insurer may act on behalf and for the benefit of the department to the extent of any compensation and benefits paid or payable from state funds.

(6) It shall be the duty of the person to whom any recovery is paid before distribution under this section to advise the department or self-insurer of the fact and amount of such recovery, the costs and reasonable attorneys' fees associated with the recovery, and to distribute the recovery in compliance with this section.

(7) The distribution of any recovery made by award or settlement of the third party action shall be confirmed by department order, served by registered or certified mail, and shall be subject to chapter 51.52 RCW. In the event the order of distribution becomes final under chapter 51.52 RCW, the director or the director's designee may file with the clerk of any county within the state a warrant in the amount of the sum representing the unpaid lien plus interest accruing from the date the order became final. The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for such warrant and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of such worker or beneficiary mentioned in the warrant, the amount of the unpaid lien plus interest accrued and the date when the warrant was filed. The amount of such warrant as docketed shall become a lien upon the title to and interest in all real and personal property of the injured worker or beneficiary against whom the warrant is issued, the same as a judgment in a civil case docketed in the office of such clerk. The sheriff shall then proceed in the same manner and with like effect as prescribed by law with respect to execution or other process issued against rights or property upon judgment in the superior court. Such warrant so docketed shall be sufficient to support the issuance of writs of garnishment in favor of the department in the manner provided by law in the case of judgment, wholly or partially unsatisfied. The clerk of the court shall be entitled to a filing fee of five dollars, which shall be added to the amount of the warrant. A copy of such warrant shall be mailed to the injured worker or beneficiary within three days of filing with the clerk.

(8) The director, or the director's designee, may issue to any person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state, a notice and order to withhold and deliver property of any kind if he or she has reason to believe that there is in the possession of such person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state, property which is due, owing, or belonging to any worker or beneficiary upon whom a warrant has been served by the department for payments due to the state fund. The notice and order to withhold and deliver shall be served by the sheriff of the county or by the sheriff's deputy, or by any authorized representatives of the director. Any person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state upon whom service has been made shall answer the notice within twenty days exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of in the notice and order to withhold and deliver. In the event there is in the possession of the party named and served with such notice and order, any property which may be subject to the claim of the department, such property shall be delivered forthwith to the director or the director's authorized representative upon demand. If the party served and named in the notice and order fails to answer the notice and order within the time prescribed in this section, the court may, after the time to answer such order has expired, render judgment by default against the party named in the notice for the full amount claimed by the director in the notice together with costs. In the event that a notice to withhold and deliver is served upon an employer and the property found to be subject thereto is wages, the employer may assert in the answer to all exemptions provided for by chapter 7.33 RCW to which the wage earner may be entitled.

Sec. 6. Section 5, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.070 are each amended to read as follows:

(1) The department or self-insurer may require the injured worker or beneficiary to exercise the right of election under this chapter by serving a written demand by registered mail, certified mail, or personal service on the worker or beneficiary.

(2) Unless an election is made within sixty days of the receipt of the demand, and unless an action is instituted or settled within the time granted by the department or self-insurer, the injured worker or beneficiary is deemed to have assigned the action to the department or self-insurer. The department or self-insurer shall allow the worker or beneficiary at least ninety days from the election to institute or settle the action. When a beneficiary is a minor child the demand shall be served upon the legal custodian or guardian of such beneficiary.

(3) If an action which has been filed is not diligently prosecuted, the department or self-insurer may petition the court in which the action is pending for an order assigning the cause of action to the department or self-insurer. Upon a sufficient showing of a lack of diligent prosecution the court in its discretion may issue the order.

(4) If the department or self-insurer has taken an assignment of the third party cause of action under subsection (2) of this section, the injured worker or beneficiary may, at the discretion of the department or self-insurer, exercise a right of reelection and assume the cause of action subject to reimbursement of litigation expenses incurred by the department or self-insurer.

Sec. 7. Section 7, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.090 are each amended to read as follows:

(1) Any compromise or settlement of the third party cause of action by the injured worker or beneficiary which results in less than the entitlement under this title is void unless made with the written approval of the department or self-insurer; PROVIDED, That for the purposes of this chapter, 'entitlement' means benefits and compensation paid and payable.

(2) If a compromise or settlement is void because of subsection (1) of this section, the department or self-insurer may petition the court in which the action was filed for an order assigning the cause of action to the department or self-insurer. If an action has not been filed, the department or self-insurer may proceed as provided in chapter 7.24 RCW.

NEW SECTION. Sec. 8. There is added to chapter 51.24 RCW a new section to read as follows:

The department may adopt, amend, and rescind under chapter 34.04 RCW such rules as may be necessary to the administration of this chapter.

NEW SECTION. Sec. 9. There is added to chapter 51.24 RCW a new section to read as follows:

This act applies to all causes of action against third persons in which judgment or settlement of the underlying action has not taken place before the effective date of this act."

On page 1, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending section 51.24.020, chapter 23, Laws of 1961 as last amended by section 31, chapter 350, Laws of 1977 ex. sess. and RCW 51.24.020; amending section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030; amending section 3, chapter 85, Laws of 1977 ex. sess. as amended by section 1, chapter 211, Laws of 1983 and RCW 51.24.050; amending section 4, chapter 85, Laws of 1977 ex. sess. as amended by section 2, chapter 211, Laws of 1983 and RCW 51.24.060; amending section 5, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.070; amending section 7, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.090; and adding new sections to chapter 51.24 RCW."

Signed by Senators Talmadge, Newhouse, Hughes; Representatives R. King, McMullen, Betzoff.

MOTION

On motion of Mr. McMullen, the House adopted the report of the Free Conference Committee on Engrossed House Bill No. 1386.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed House Bill No. 1386 as amended by the Free Conference Committee.

POINT OF INQUIRY

Mr. Betzoff yielded to question by Mr. McMullen.

Mr. McMullen: "Representative Betzoff, during the Labor Committee meeting, I noticed that among other things in House Bill No. 1386, we used the term 'ailment.' Was this intended in any way to broaden or expand the types of injuries that are covered by the Workmen's Compensation Act in this state?"

Mr. Betzoff: "No, it is not intended to do that. It amends a specific chapter, Chapter 51.24 RCW, dealing with third party lawsuits. The definition of 'injury' in this bill is intended to apply only to that chapter; it is not intended to change the traditional definition of 'injury' used to determine eligibility of benefits."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1386 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1386 as amended by 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 SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 977, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 6, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 977, delaying the effective date of administrative revocation of driver's licenses for DWI violations and instituting an interim system of temporary licenses, have had the same under consideration, and we report that we are unable to agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Peterson, Clarke, Talmadge; Representatives Armstrong, Wang, Tilly.

MOTION

Mr. Wang moved that the report of the Conference Committee on Substitute House Bill No. 977 be adopted and the committee be granted the powers of Free Conference.

Representatives Wang and Padden spoke in favor of the motion, and it was carried.

REPORTS OF STANDING COMMITTEES

March 7, 1984

2SSB 3187 Prime Sponsor, Committee on Ways & Means: Imposing an excise tax on the severance of minerals. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman and Vander Stoep.

Voting nay: Representatives Bond, Cantu, Hastings, G. Nelson, Struthers and Tilly.

Absent: Representatives Sanders and Taylor.

Passed to Committee on Rules for second reading.

March 7, 1984

ESB 4421 Prime Sponsor, Senator Woody: Modifying the provisions on the taxation of timber and timberlands. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

*Sec. 1. RCW 84.33.071 is 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 (~~between July 1, 1983, through June 30, 1984,)~~ for sale or for commercial or industrial use multiplied by the rate of six and one-half percent, except that as to small harvesters, as defined in RCW 84.33.073, the amount of tax imposed with respect to such business shall be equal to the timber value determined under RCW 84.33.074 multiplied by the rate of four percent.

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own land or from the 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 on timber harvested from privately owned land 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) of this section on timber harvested from publicly owned land 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 82.32.045 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.

NEW SECTION, Sec. 2. This act shall take effect July 1, 1984."

Beginning on page 1, line 1 of the title after "taxation;" strike the remainder of the title and insert "amending RCW 84.33.071; and providing an effective date."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Vander Stoep.

Voting nay: Representatives Cantu, Hastings, G. Nelson, Smitherman, Struthers and Tilly.

Absent: Representatives Bond, Sanders and Taylor.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 105,
SUBSTITUTE HOUSE BILL NO. 480,
SUBSTITUTE HOUSE BILL NO. 1163,
HOUSE BILL NO. 1509,
SUBSTITUTE HOUSE BILL NO. 1652,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

REPORT OF CONFERENCE COMMITTEE

March 6, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4306, modifying provisions relating to public health, have had the same

under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Warnke, Zimmerman, Rinehart; Representatives Niemi, Vekich, Hankins.

MOTION

On motion of Mr. Vekich, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 4306, and granted committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 6, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4403, revising provisions relating to health care costs, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators McDermott, Sellar, Talmadge; Representatives Kreidler, McClure.

MOTION

On motion of Mr. Kreidler, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 4403, and granted committee powers of Free Conference.

MOTION

On motion of Mr. Wang, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-155, by Representatives O'Brien, Locke, Lux, Jacobsen, Burns, D. Nelson, Charnley, Niemi, Addison, Pruitt, Moon and Garrett

WHEREAS, For the past seventy-five years Franklin High School has served the educational needs of its students with great distinction; and

WHEREAS, Franklin High School located in the Mount Baker District of southeast Seattle is a symbol of the highest educational standards and is a landmark of beauty and uniqueness; and

WHEREAS, Franklin High School students have achieved great success in their chosen careers and many have become outstanding athletes; and

WHEREAS, The members of the Hutchinson family, who graduated from Franklin High School, are a prime example of this successful achievement; and

WHEREAS, Fred Hutchinson was a very successful big league baseball player and manager of a major league baseball team, and his brother, Dr. William B. Hutchinson, an esteemed Seattle surgeon, was one of the founding members and has been President of the Fred Hutchinson Cancer Research Center, a world renowned Research Center, which was established in honor of Fred Hutchinson; and

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington urge the Board of Directors of the Seattle Public Schools to give the fullest consideration to the restoration of Franklin High School through renovation, rather than replacement, of this historic building; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the members of the Board of Directors of the Seattle Public Schools by the Chief Clerk of the House of Representatives.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien, Patrick, Brough and Moon spoke in favor of the resolution and it was adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 880.
HOUSE BILL NO. 1133.
HOUSE BILL NO. 1304.

MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HCR 46 by Representatives Ellis and Grimm

Establishing the emergency commission on Comprehensive Water Resource Management.

Referred to Committee on Rules.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4504, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 7, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4407, modifying provisions relating to the compensation of school district administrators, have had the same under consideration, and we recommend that the bill do pass with the House amendment on page 2, after line 12.

Signed by Senators Hurley, McDermott; Representatives Grimm, Dellwo, Vander Stoep.

MOTION

On motion of Mr. Dellwo, the House adopted the report of the Conference Committee on Engrossed Senate Bill No. 4407.

FINAL PASSAGE OF SENATE BILL
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Senate Bill No. 4407 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4407 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 4407 as recommended by 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.

Representative Long was excused.

MOTION

On motion of Mr. Heck, the House advanced to the sixth order of business.

SECOND READING

Mr. Hastings moved that the Committee on Ways & Means be relieved of SENATE BILL NO. 4409, and the bill be placed at the top of today's second reading calendar.

Mr. Hastings spoke in favor of the motion.

Mr. Taylor demanded an oral roll call and the demand was sustained.

POINT OF INQUIRY

Mr. Smitherman yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Smitherman, if the current B&O tax rate on the meat processing industry was translated into a net profit corporate income tax, what would that rate be?"

Mr. Smitherman: "Representative Struthers, I recall reading an article--I think it was in a Seattle paper--that it would be at about fifty-three percent."

Mr. Struthers: "What would the rate be if this bill should pass?"

Mr. Smitherman: "It would be over twelve percent."

Mr. Struthers: "How many plants have closed in the last eight years?"

Mr. Smitherman: "There have been over twenty in this state and the last one that closed was in Seattle about a week ago, and there were about three hundred fifty people who were put out of work as a result of that closure. That translates to about \$62,000 a week in unemployment--"

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, according to Reed's Rules a motion to relieve a committee of a bill doesn't open the main subject for discussion. The mover of the motion has the right to stipulate why the committee should be relieved of the bill, but you don't go into the merits or demerits of the bill on such a motion."

With the consent of the House, Mr. O'Brien withdrew the Point of Order.

Mr. Struthers: "Representative Smitherman, is it true that the meat processing industry is the only agricultural commodity that is taxed at a rate higher than one-eighth of one percent?"

Mr. Smitherman: "Yes, the meat processing industry is taxed at about three times the rate of all other agricultural commodities and it is also one of the few agriculture industries that is not subsidized. This issue is clearly one of equity and we're not talking about tax loopholes here. The current rate is excessive and puts our cattlemen and processors at a severe competitive disadvantage with out-of-state competition."

Mr. Struthers spoke in favor of the motion.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Grimm, can you tell me why the meat processor's bill has not been considered? Why it has not been before us here on the floor?"

Mr. Grimm: "The reason the measure pertaining to meat processors, as to which it has been commonly referred, has not been passed out of committee is because it has not received a Do Pass recommendation from the Committee on Ways & Means, where the bill is currently located."

Representatives Heck and Moon spoke against the motion, and Representatives Barrett and Taylor spoke in favor of it.

Mr. Hastings spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the Committee on Ways & Means be relieved of Senate Bill No. 4409 and the bill be placed on the second reading calendar, and the motion was lost by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Long - 1.

SUBSTITUTE SENATE BILL NO. 3926, by Committee on State Government (originally sponsored by Senator McDermott)

Modifying provisions on deferred compensation.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Cantu spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3926, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Long - 1.

Substitute Senate Bill No. 3926, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4404, by Committee on Ways & Means (originally sponsored by Senators McDermott, Thompson, Patterson, Hughes, Woody, Zimmerman, Sellar, Gaspard, Peterson, Conner, Bauer, Barr and Fleming)

Providing loans for certain public works.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 58th Day, March 6, 1984.)

Mr. Grimm moved adoption of the committee amendments. Representatives Grimm and Cantu spoke in favor of the amendments, and they were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

MOTION

On motion of Mr. Heck, further consideration of Engrossed Substitute Senate Bill No. 4404 as amended by the House was deferred and the bill was ordered held on the third reading calendar.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 843, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 6, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 843, modifying provisions relating to retirement from public service, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 41.50 RCW a new section to read as follows:

(1) The employer of any employee whose retirement benefits are based in part on excess compensation, as defined in this section, shall, upon receipt of a billing from the department, pay into the appropriate retirement system the present value at the time of the employee's retirement of the total estimated cost of all present and future benefits from the retirement system attributable to the excess compensation. The state actuary shall determine the estimated cost using the same method and procedure as is used in preparing fiscal note costs for the legislature. However, the director may in the director's discretion decline to bill the employer if the amount due is less than fifty dollars. Accounts unsettled within thirty days of the receipt of the billing shall be assessed an interest penalty of one percent of the amount due for each month or fraction thereof beyond the original thirty-day period.

(2) 'Excess compensation,' as used in this section, includes any payment that was used in the calculation of the employee's retirement allowance, except regular salary and overtime, but is not limited to a cash out of unused annual leave in excess of two hundred forty hours of such leave, a cash out of any other form of leave, a payment for, or in lieu of, any personal expense, and any other termination or severance payment used in the calculation of the employee's retirement allowance. Any payment which is made pursuant to any labor agreement currently in force shall not be deemed excess compensation. Any payments in excess of regular salary and overtime, and two hundred forty hours of unused annual leave made after the expiration of a current contract shall be excess compensation.

(3) This section applies to the retirement systems listed in RCW 41.50.030 and to retirements occurring on or after the effective date of this act. Nothing in this section is intended to amend or determine the meaning of any definition in chapter 2.10, 2.12, 41.26, 41.32, 41.40, or 43.43 RCW or to determine in any manner what payments are includable in the calculation of a retirement allowance under such chapters.

(4) An employer is not relieved of liability under this section because of the death of any person either before or after the billing from the department.

NEW SECTION, Sec. 2. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 10, Laws of 1982 1st ex. sess. and RCW 41.32.4985; and

(2) Section 34, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.187.

NEW SECTION, Sec. 3. There is added to chapter 2.10 RCW a new section to read as follows:

The director of retirement systems is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION, Sec. 4. There is added to chapter 2.12 RCW a new section to read as follows:

The director of retirement systems is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 5. There is added to chapter 41.26 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 6. There is added to chapter 41.32 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 7. There is added to chapter 41.40 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 8. There is added to chapter 43.43 RCW a new section to read as follows:

The director is authorized to pay from the interest earnings of the trust funds of the system lawful obligations of the system for legal expenses and medical expenses which expenses are primarily incurred for the purpose of protecting the trust fund or are incurred in compliance with statutes governing such funds.

The term 'legal expense' includes, but is not limited to, legal services provided through the legal services revolving fund, fees for expert witnesses, travel expenses, fees for court reporters, cost of transcript preparation, and reproduction of documents.

The term 'medical costs' includes, but is not limited to, expenses for the medical examination or reexamination of members or retirees, the costs of preparation of medical reports, and fees charged by medical professionals for attendance at discovery proceedings or hearings.

NEW SECTION. Sec. 9. There is added to chapter 41.40 RCW a new section to read as follows:

(1) Any person who was a member of the state-wide city employees' retirement system governed by chapter 41.44 RCW and who also became a member of the public employees' retirement system on or before the effective date of this act may, in a writing filed with the director, elect to:

(a) Transfer to the public employees' retirement system all service currently credited under chapter 41.44 RCW;

(b) Reestablish and transfer to the public employees' retirement system all service which was previously credited under chapter 41.44 RCW but which was canceled by discontinuance of service and withdrawal of accumulated contributions as provided in RCW 41.44.190. The service may be reestablished and transferred only upon payment by the member to the employees' savings fund of the public employees' retirement system of the amount withdrawn

plus interest thereon from the date of withdrawal until the date of payment at a rate determined by the director. No additional payments are required for service credit described in this subsection if already established under this chapter; and

(c) Establish service credit for the initial period of employment not to exceed six months, prior to establishing membership under chapter 41.44 RCW, upon payment in full by the member of the total employer's contribution to the benefit account fund of the public employees' retirement system that would have been made under this chapter when the initial service was rendered. The payment shall be based on the first month's compensation earnable as a member of the state-wide city employees' retirement system and as defined in RCW 41.44.030(13). However, a person who has established service credit under RCW 41.40.010(11) (c) or (d) shall not establish additional credit under this subsection nor may anyone who establishes credit under this subsection establish any additional credit under RCW 41.40.010(11) (c) or (d). No additional payments are required for service credit described in this subsection if already established under this chapter.

(2)(a) In the case of a member of the public employees' retirement system who is employed by an employer on the effective date of this act, the written election required by subsection (1) of this section must be filed and the payments required by subsection (1)(b) and (c) of this section must be completed in full within one year after the effective date of this act.

(b) In the case of a former member of the public employees' retirement system who is not employed by an employer on the effective date of this act, the written election must be filed and the payments must be completed in full within one year after reemployment by an employer.

(c) In the case of a retiree receiving a retirement allowance from the public employees' retirement system on the effective date of this act or any person having vested rights as described in RCW 41.40.150(3) or (5), the written election may be filed and the payments may be completed at any time.

(3) Upon receipt of the written election and payments required by subsection (1) of this section from any retiree described in subsection (2)(c) of this section, the department shall recompute the retiree's allowance in accordance with this section and shall pay any additional benefit resulting from such recomputation retroactively to the date of retirement from the system governed by this chapter.

Sec. 10. Section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450 are each amended to read as follows:

The required contribution rates to the retirement system for members, employers, and the state of Washington shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

The member, the employer and the state shall each contribute the following shares of the cost of the retirement system:

Member	50%
Employer	30%
State	20%

Any adjustments in contribution rates required from time to time for future costs shall likewise be shared proportionally by the members, employers, and the state: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the state.

Any increase in the contribution rate required as the result of a failure of the state or of an employer to make any contribution required by this section shall be borne in full by the state or by that employer not making the contribution.

The director shall notify ~~((the retirement board))~~ all employers of any pending adjustment in the required contribution rate and such increase shall be announced ~~((at a board meeting held))~~ at least thirty days prior to the effective date of the change.

Members' contributions required by this section shall be deducted from the members basic salary each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members, employers of such members, and the state shall each contribute the following percentages of basic salary:

Member	8.14%
Employer	4.88%
State	3.28%

In addition, the state shall initially contribute an additional twenty percent of basic salary per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 11. Section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775 are each amended to read as follows:

The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of

the state actuary: PROVIDED, That the employer contribution shall be contributed as provided in RCW 41.32.401.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify ~~((the retirement board))~~ all employers of any pending adjustment in the required contribution rate and such increase shall be announced ~~((at a board meeting held))~~ at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members earnable compensation each payroll period. The members contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends and the employers contribution shall be remitted as provided by law.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.66% of earnable compensation: PROVIDED, That employers shall initially contribute an additional 5.80% of earnable compensation per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 12. Section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650 are each amended to read as follows:

The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify ~~((the retirement board))~~ all employers of any pending adjustment in the required contribution rate and such increase shall be announced ~~((at a board meeting held))~~ at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members compensation earnable each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.51% of compensation earnable: PROVIDED, That employers shall initially contribute an additional one and one-half percent of compensation earnable per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 13. Section 13, chapter 274, Laws of 1947 as last amended by section 1, chapter ... (SB 4731), Laws of 1984 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, 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 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))~~ during such periods of employment: AND PROVIDED FURTHER, That any persons holding or who have held 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 director;))~~ to be effective during such term or terms of office, and shall be allowed to ~~((recover or regain))~~ establish the service credit applicable to such term or terms of office upon payment of the employee contributions therefor by the employee with interest as determined by the director and employer contributions therefor by the employer or employee with interest as determined by the director: 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)) all contributions with interest submitted by the employee under this subsection shall be placed in the employee's individual account in the employee's savings fund and be treated as any other contribution made by the employee, with the exception that any contributions submitted by the employee in payment of the employer's obligation, together with the interest the director may apply to the employer's contribution, shall not be considered part of the member's annuity for any purpose except withdrawal of contributions;

(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 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: AND PROVIDED FURTHER, That an employee shall not either before or after the effective date of chapter ... (SB 4731). Laws of 1984 be excluded from membership or denied service credit pursuant to this subsection solely on account of enrollment under the relief and compensation provisions or the pension provisions of the volunteer firemen's relief and pension fund under chapter 41.24 RCW;

(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 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;

(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 as a member of this system in lieu of becoming a member of the city system. A member who elects to continue as a member of this system shall 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. 14. Section 32, chapter 274, Laws of 1947 as last amended by section 7, chapter 155, Laws of 1965 and RCW 41.40.310 are each amended to read as follows:

Once each year during the first five years following the retirement of a member on a disability pension or retirement allowance, and at least once in every three year period thereafter the retirement board may, and upon the member's application shall, require any disability beneficiary, who has not attained age sixty years, to undergo a medical examination; such examination to be made by or under the direction of the medical adviser at the place of residence of said beneficiary, or other place mutually agreed upon. Should any disability beneficiary, who has not attained age sixty years, refuse to submit to such medical examination in any such period, his disability pension or retirement allowance may be discontinued until his withdrawal of such refusal, and should such refusal continue for one year, all his rights in and to his disability pension, or retirement allowance, may be revoked by the retirement board. If upon such medical examination of a disability beneficiary, the medical adviser reports and his report is concurred in by the retirement board, that the disability beneficiary is no longer totally incapacitated for duty as the result of the injury or illness for which the disability was granted, or that he is engaged in a gainful occupation, his disability pension or retirement allowance shall cease: PROVIDED, That if the disability beneficiary resumes a gainful occupation and his compensation is less than his compensation earnable at the date of disability, the board shall continue the disability benefits in an amount which when added to his compensation does not exceed his compensation earnable at the date of separation, but the disability benefit shall in no event exceed the disability benefit originally awarded; PROVIDED FURTHER, That the compensation earnable at the date of separation is adjusted July 1 of each year by the ratio of the average consumer price index (Seattle, Washington area) for urban consumers, compiled by the United States department of labor, bureau of labor statistics, for the calendar year prior to the adjustment to the average consumer price index for the calendar year in which separation from service occurred but in no event shall the adjustment result in an amount lower than the original compensation earnable at the date of separation.

Sec. 15. Section 9, chapter 163, Laws of 1982 and RCW 41.50.032 are each amended to read as follows:

(1) The director shall assume all powers, duties, and functions of the retirement boards abolished by RCW 2.10.052, 41.26.051, 41.32.015, 41.40.022, and 43.43.142 except as otherwise assigned in this section.

(2) There is hereby created a state advisory committee to the department of retirement systems which shall serve in an advisory capacity to the director of retirement systems. The committee shall consist of twelve members appointed by the governor as provided in this section:

(a) Three active members and one retired member of the public employees' retirement system;

(b) Two active members, one a law enforcement officer and the other a fire fighter, and one retired fire fighter, of the law enforcement officers' and fire fighters' retirement system;

(c) Two active members, one a teacher and the other an administrator, and one retired member of the teachers' retirement system;

(d) One active member of the state patrol retirement system;

(e) One active member of the judicial retirement system.

The active members appointed under subsections (a), (b), (c), and (d) of this subsection shall be selected from a list of three nominees submitted by each organization representing active members. The retired members appointed under subsections (a), (b), and (c) of this subsection shall be selected from a list of three nominees submitted by each organization representing retired members. The member appointed under subsection (e) of this subsection shall be appointed from a list of three nominees submitted by the state supreme court.

Members shall serve staggered three-year terms as determined by the governor. Members shall serve without compensation but shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) The advisory committee shall at its first meeting of each fiscal year elect a chairperson and vice chairperson.

(4) The chairperson shall annually appoint from the committee members a subcommittee for each retirement system covered by this chapter. Each subcommittee shall have one committee member representing the system for which appointed and two other committee members who represent any other system. The subcommittees shall meet upon the call of the director to review all disability appeals cases which have been heard by a hearings examiner. Having considered the ~~((report of the hearings examiner and all other legally pertinent material))~~ hearings examiner's proposed decision, including findings of fact and conclusions of law, and having personally considered the whole record or such portions thereof as may be cited by the parties, the subcommittee shall make a recommendation to the director for the disposition of the appeal.

Sec. 16. Section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210 are each amended to read as follows:

Any person aggrieved by any final decision of the director must, before petitioning for judicial review, file with the director of the retirement system by mail or personally within sixty days from the day such decision was communicated to such person, a notice for a hearing ~~((before the retirement board))~~. The notice of hearing shall set forth in full detail the grounds upon which such person considers such decision unjust or unlawful and shall include every issue to be considered ~~((by the retirement board))~~, and it must contain a detailed statement of facts upon which such person relies in support thereof. Such persons shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in the notice of hearing or appearing in the records of the retirement system.

Sec. 17. Section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220 are each amended to read as follows:

A hearing shall be held by ~~((members of the retirement board, or its))~~ the director, or the director's duly authorized representative(s), in the county of the residence of the claimant at a time and place designated by the ~~((retirement board))~~ director. Such hearing shall be de novo and shall conform to the provisions of chapter 34.04 RCW, as now or hereafter amended. The disability board and the ~~((director))~~ department shall be entitled to appear in all such proceedings and introduce testimony in support of the decision. Judicial review of any final decision by the ~~((retirement board))~~ director shall be governed by the provisions of chapter 34.04 RCW as now law or hereafter amended.

Sec. 18. Section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26.230 are each amended to read as follows:

No bond of any kind shall be required of a claimant appealing to the superior court, the court of appeals, or the supreme court from a ~~((finding))~~ decision of the ((retirement board)) director affecting such claimant's right to retirement or disability benefits.

Sec. 19. Section 43.01.040, chapter 8, Laws of 1965 as last amended by section 2, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.040 are each amended to read as follows:

Each subordinate officer and employee of the several offices, departments, and institutions of the state government shall be entitled under their contract of employment with the state government to not less than one working day of vacation leave with full pay for each month of employment if said employment is continuous for six months.

Each such subordinate officer and employee shall be entitled under such contract of employment to not less than one additional working day of vacation with full pay each year for satisfactorily completing the first two, three and five continuous years of employment respectively.

Such part time officers or employees of the state government who are employed on a regular schedule of duration of not less than one year shall be entitled under their contract of employment to that fractional part of the vacation leave that the total number of hours of such employment bears to the total number of hours of full time employment.

Each subordinate officer and employee of the several offices, departments and institutions of the state government shall be entitled under his contract of employment with the state government to accrue unused vacation leave not to exceed thirty working days. Officers and employees transferring within the several offices, departments and institutions of the state government shall be entitled to transfer such accrued vacation leave to each succeeding state office, department or institution. All vacation leave shall be taken at the time convenient to the employing office, department or institution: PROVIDED, That if a subordinate officer's or employee's request for vacation leave is deferred by reason of the convenience of the employing office, department or institution, and a statement of the necessity therefor is filed by such employing office, department or institution with the appropriate personnel board or other state agency or officer, then the aforesaid maximum thirty working days of accrued unused vacation leave shall be extended for each month said leave is so deferred. ~~((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 the case of death: PROVIDED, That agencies or departments of the state shall provide a method whereby all accumulated vacation leave may be taken as vacation leave.))~~

Sec. 20. Section 43.01.041, chapter 8, Laws of 1965 as amended by section 3, chapter 51, Laws of 1982 1st ex. sess. 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 retirement, and who have accrued vacation leave as specified in RCW 43.01.040, shall ~~(have such accrued vacation leave)~~ be paid ((to)) therefor under their contract of employment, or their estate if they are deceased, or if the employee in case of voluntary resignation has provided adequate notice of termination.

NEW SECTION. Sec. 21. Section 1, chapter 51, Laws of 1982 1st ex. sess. and RCW 41.04.345 are each repealed.

NEW SECTION. Sec. 22. It is the purpose of sections 23 through 28 of this act to govern the retirement rights of persons whose employment status is altered when: (1) Two or more units of local government of this state, at least one of which is a first class city with its own retirement system, enter into an agreement for the consolidated performance of a governmental service, activity, or undertaking; (2) the service, activity, or undertaking is to be performed either by one of the participating local governmental units or by a newly established separate legal entity; and (3) the employees of the participating local governmental units are not all members of the same Washington public retirement system.

Sections 23 through 28 of this act are not intended to and do not govern retirement rights of any members of the retirement systems established by chapter 41.16, 41.18, 41.20, or 41.26 RCW, or of employees described in RCW 35.58.265, 35.58.390, or 70.08.070. To the extent there is any conflict between sections 23 through 28 of this act and RCW 41.04.110, the provisions of sections 23 through 28 of this act shall govern.

NEW SECTION. Sec. 23. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 22 through 28 of this act.

(1) 'Legal entity' means any political subdivision or municipal corporation of the state, including but not limited to public agencies created under RCW 35.63.070, 36.70.060, or 39.34.030.

(2) 'Consolidated employer' means the legal entity assigned by agreement to perform a governmental service, activity, or undertaking for two or more units of local government of the state, at least one of which is a first class city with its own retirement system.

(3) 'Existing employee' means a person who both (a) becomes employed by the consolidated employer within one year after the consolidation and (b) was employed by one of the combining legal entities at the time of the consolidation.

(4) 'New employee' means an employee of the consolidated employer who is not an existing employee.

(5) 'Active member' means a member of a retirement system who was making contributions to that retirement system at the time of the consolidation.

NEW SECTION. Sec. 24. If a consolidated employer is a participating member in the public employees' retirement system under chapter 41.40 RCW prior to the consolidation:

(1) All existing employees of the consolidated employer who are active members of the public employees' retirement system immediately prior to the consolidation shall continue to be members of that retirement system while employed by the consolidated employer.

(2) All existing employees of the consolidated employer who are active members of a first class city retirement system under chapter 41.28 RCW immediately prior to the consolidation shall cease to be members of that system at the time of the consolidation and, if eligible, shall immediately become members of the public employees' retirement system. However, any such active member may, by a writing filed with the consolidated employer within thirty days after the consolidation or within thirty days after the effective date of this act, whichever is later, irrevocably elect instead to continue to be a member of the first class city retirement system, thereby forever waiving any rights under the public employees' retirement system based upon employment with the consolidated employer.

(3) Only prospective periods of qualifying service under the public employees' retirement system may be established under this section.

NEW SECTION. Sec. 25. If a consolidated employer is a city operating a first class city retirement system under chapter 41.28 RCW prior to the consolidation:

(1) All existing employees of the consolidated employer who are active members of the first class city retirement system immediately prior to the consolidation shall continue to be members of that retirement system while employed by the consolidated employer.

(2) All existing employees of the consolidated employer who are active members of the public employees' retirement system under chapter 41.40 RCW immediately prior to the consolidation shall cease to be members of that system at the time of the consolidation and, if eligible, shall immediately become members of the first class city retirement system. However, any such active member may, by a writing filed with the consolidated employer within thirty days after the consolidation or within thirty days after the effective date of this act, whichever is later, irrevocably elect instead to continue to be a member of the public employees' retirement system, thereby forever waiving any rights under the first class city retirement system based upon such employment with the consolidated employer.

(3) Only prospective periods of qualifying service under the first class city retirement system may be established under this section.

NEW SECTION. Sec. 26. If a consolidated employer is a newly created legal entity and does not immediately join the public employees' retirement system pursuant to RCW 41.40.410:

(1) All existing employees of the consolidated employer who are active members of a first class city retirement system or the public employees' retirement system immediately prior to the consolidation shall cease to be members of these systems. However, any such active members may, by a writing filed with the consolidated employer within thirty days after the consolidation or within thirty days after the effective date of this act, whichever is later, irrevocably elect instead to continue as members of the retirement system to which they belonged at the time of the consolidation for all periods of employment with the consolidated employer.

(2) If the consolidated employer later joins the public employees' retirement system, all existing employees still employed on that date shall, effective from that date, have the same retirement system rights and options, subject to the same conditions as employees governed by section 24 of this act, notwithstanding any previous election under subsection (1) of this section.

(3) No new employees of the consolidated employer may become members of an employer-sponsored retirement system until such time as the employer joins the public employees' retirement system pursuant to RCW 41.40.410.

NEW SECTION. Sec. 27. Notwithstanding any provision of section 24, 25, or 26 of this act:

(1) No person may simultaneously accrue any contractual rights whatsoever in more than one Washington public retirement system as a consequence of employment by a consolidated employer.

(2) No person who makes a written election permitted by section 24, 25, or 26 of this act may receive a retirement allowance from such retirement system under any circumstances while employed or reemployed by the consolidated employer.

(3) No person may accrue any benefits or rights under any Washington public retirement system as a result of section 24, 25, or 26 of this act except such rights of continuing membership that are specifically and explicitly granted by section 24, 25, or 26 of this act.

(4) Nothing in sections 22 through 27 of this act is intended to constitute an amendment or waiver of any law or rule of any Washington public retirement system, including but not limited to those governing eligibility for service credit, benefits, or membership, except to broaden the class of legal entities that are deemed to be participating employers in the retirement systems in the specific circumstances stated in sections 24, 25, and 26 of this act.

NEW SECTION. Sec. 28. (1) Consolidated employers that employ persons governed by section 24, 25, or 26 of this act shall comply with all laws and rules governing the retirement system in which the persons participate as members, including but not limited to the obligations to make employer contributions, to deduct and transmit employee contributions, and to submit required reports.

(2) Sections 24, 25, 26, and 27 of this act govern any consolidation occurring on or after December 31, 1981.

NEW SECTION. Sec. 29. Sections 22 through 28 of this act are each added to chapter 41.04 RCW.

NEW SECTION. Sec. 30. (1) There is appropriated for the biennium ending June 30, 1985, from the state general fund to the public employees' retirement system fund the sum of two hundred ten thousand dollars, or so much thereof as may be necessary, to carry out the purposes of section 9 of this act.

(2) There is appropriated to the department of retirement systems for the biennium ending June 30, 1985, from the department of retirement systems expense fund the sum of fifty-five thousand dollars, or so much thereof as may be necessary, to carry out the administration of this act.

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. 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 "service;" strike the remainder of the title and insert "amending section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450; amending section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775; amending section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650; amending section 13, chapter 274, Laws of 1947 as last amended by section 1, chapter ... (SB 4731), Laws of 1984 and RCW 41.40.120; amending section 32, chapter 274, Laws of 1947 as last amended by section 7, chapter 155, Laws of 1965 and RCW 41.40.310; amending section 9, chapter 163, Laws of 1982 and RCW 41.50.032; amending section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210; amending section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220; amending section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26.230; amending section 43.01.040, chapter 8, Laws of 1965 as last amended by section

2. chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.040; amending section 43.01.041, chapter 8, Laws of 1965 as amended by section 3, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.041; adding a new section to chapter 2.10 RCW; adding a new section to chapter 2.12 RCW; adding new sections to chapter 41.04 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; adding new sections to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 43.43 RCW; repealing section 2, chapter 10, Laws of 1982 1st ex. sess. and RCW 41.32.4985; repealing section 34, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.187; repealing section 1, chapter 51, Laws of 1982 1st ex. sess. and RCW 41.04.345; making appropriations; and declaring an emergency."

Signed by Senators Shinpoch, McDermott, Newhouse; Representatives Monohon, Sommers, Cantu.

MOTION

On motion of Ms. Monohon, the House adopted the report of the Free Conference Committee on Substitute House Bill No. 843.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 843 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 843 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Long - 1.

Substitute House Bill No. 843 as amended by 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 SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1246, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 7, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1246, providing programs for educational excellence, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Bauer, Lee; Representatives Galloway, Appelwick.

MOTION

On motion of Ms. Galloway, the report of the Conference Committee on Substitute House Bill No. 1246 was adopted and the committee was granted powers of Free Conference.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1613, and granted said committee the powers of Free Conference, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1613, creating the Washington award for vocational excellence program, have had the same under consideration and we report that we are unable to agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Goltz, Kiskaddon; Representatives Burns, Powers, Silver.

MOTION

On motion of Mr. Burns, the House adopted the report of the Conference Committee on Substitute House Bill No. 1613, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1660, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 7, 1984

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1660, improving the quality of education, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Bauer; Representatives Galloway, P. King.

MOTION

On motion of Ms. Galloway, the House adopted the report of the Conference Committee on Engrossed Second Substitute House Bill No. 1660, and granted the committee powers of Free Conference.

SECOND READING

ENGROSSED SENATE BILL NO. 4421, by Senators Woody, Hayner and McManus

Modifying provisions on the taxation of timber and timberlands.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see today's Reports of Standing Committees.)

Mr. Grimm moved adoption of the committee amendments.

Mr. Halsan spoke against the committee amendments.

ROLL CALL

The Clerk called the roll on adoption of the committee amendments to Engrossed Senate Bill No. 4421, and the amendments were not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 44.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 53.

Excused: Representative Long - 1.

STATEMENT FOR THE JOURNAL

It was my intention to vote in favor of the Ways & Means Committee amendments to Engrossed Senate Bill No. 4421.

PAUL SANDERS, 48th District.

Mr. Appelwick moved adoption of the following amendment:

On page 24, line 14 after "to" insert "state and"

Mr. Appelwick spoke in favor of the amendment, and Representatives Halsan and Tilly spoke against it.

The amendment was not adopted.

Mr. Appelwick moved adoption of the following amendment:

On page 26, line 9 after "state" strike everything down to and including "RCW" on line 11.

Mr. Appelwick spoke in favor of the amendment, and Mr. Halsan spoke against it.

The amendment was not adopted.

Mr. Appelwick moved adoption of the following amendment:

On page 4, beginning on line 10 strike all of sections 3, 4, 5, 6, and 7 and insert:

NEW SECTION, Sec. 3. The rate of tax imposed under section 2 of this act for timber harvested July 1, 1984, through June 30, 1986, shall be six and one-half percent.

NEW SECTION, Sec. 4. The rate of tax imposed under section 2 of this act for timber harvested July 1, 1986, through June 30, 1987, shall be six percent.

NEW SECTION, Sec. 5. The rate of tax imposed under section 2 of this act for timber harvested July 1, 1987, through June 30, 1988, shall be five and one-half percent.

NEW SECTION, Sec. 6. The rate of tax imposed under section 2 of this act for timber harvested July 1, 1988, and thereafter, shall be five percent.

NEW SECTION, Sec. 7. (1) The timber and wood products taxation study committee is hereby created. The committee shall consist of the chairperson of the ways and means committee of the senate, a senator appointed by the chairperson of the largest political caucus in the senate, a senator appointed by the chairperson of the second largest political caucus in the senate, the chairperson of the ways and means committee of the house of representatives appointed by the chairperson of the largest political caucus in the house of representatives, and a representative appointed by the chairperson of the second largest political caucus in the house of representatives. The committee shall conduct a thorough study of all taxes affecting the forestland, timber, and wood products industries, including but not limited to the following:

- (a) The relationship between timber as a crop and agricultural crops;
- (b) The nature of investments in timber production;
- (c) The nature of old growth resources compared to reforestation resources;
- (d) The taxation of public timber compared to private timber;
- (e) The comparative taxation of timberland based on size of harvest and size of land ownership;
- (f) The taxation of timberland compared to other types of real property;
- (g) The taxation of timberland compared to income producing real properties;
- (h) The taxation of growers, harvesters, and manufacturers of wood products compared to one another and compared to integrated timber companies; and
- (i) The relative state tax burdens on forestland, timber, and wood products industries, compared to other state business taxes.

(2) The committee shall make a recommendation to the legislature as soon as reasonably possible, but before January 1, 1986, as to appropriate approach to the taxation of forestland, timber, and wood products industries, including the basis of taxation and the rates of taxation.

(3) Fifty thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the senate and fifty thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the house of representatives for professional consulting services necessary under this section. Moneys appropriated under this section may be spent only to the extent matched by an equal amount from private contributions by the forest industry."

Mr. Appelwick spoke in favor of the amendment, and Mr. Halsan spoke against it.

Mr. Appelwick spoke again in favor of the amendment, and Mr. Tilly opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Appelwick to page 4 of Engrossed Senate bill No. 4421, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 44.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Holland, Johnson, King P, King R, Lewis, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 53.

Excused: Representative Long - 1.

MOTION

Mr. Heck moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Senate Bill No. 4421 to third reading and final passage, and the motion was carried by the following vote: Yeas, 64; nays, 32; absent, 1; excused, 1.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Lewis, McMullen, Miller, Mitchell, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Ellis, Fisch, Fisher, Grimm, Heck, Hine, Jacobsen, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Todd, Wang - 32.

Absent: Representative Sanders - 1.

Excused: Representative Long - 1.

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 4421.

Mr. Halsan spoke in favor of the bill, and Ms. Sommers spoke against it.

POINT OF INQUIRY

Mr. C. Smith yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Smith, it just dawned on me as the last speaker was speaking, that it sounds as though we have imposed an unfair tax on an agricultural business in the state. I understand you are in the dairy business. Do you pay tax on the hay that you buy?"

Mr. C. Smith: "No, I don't pay any tax because I raise all my hay, but individuals who do buy, don't pay it."

Mr. Isaacson: "How about other fees?"

Mr. C. Smith: "The final end result is taxed, which happens to be milk in my case. Then there is a tax to the consumer on that item."

Representatives Isaacson, Tanner, Smitherman and Tilly spoke in favor of passage of the bill, and Representatives J. King, Pruitt, Kaiser, Jacobsen, Grimm, Appelwick, Lux, Powers and Todd spoke against it.

Mr. Garrett demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4421, and the bill passed the House by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, McMullen, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Van Luvén, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 45.

Excused: Representative Long - 1.

Engrossed Senate Bill No. 4421, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

MESSAGES FROM THE SENATE

March 7, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 880,
HOUSE BILL NO. 1133,
HOUSE BILL NO. 1304,
SUBSTITUTE SENATE BILL NO. 3926,
SENATE BILL NO. 4504,
SENATE BILL NO. 4798,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 4407, and has passed the bill as recommended by the Conference Committee.

Bill Gleason, Assistant Secretary.

March 7, 1984

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 154,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 7, 1984

Mr. Speaker:

The Senate insists on its position on ENGROSSED HOUSE BILL NO. 1462, and once again asks the House to concur in the Senate amendments thereto, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. R. King, the House concurred in the Senate amendments to Engrossed House Bill No. 1462.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed House Bill No. 1462 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1462 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 13; absent, 10; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Scott, Silver, Smith L, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vekich, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Barnes, Betzoff, Bond, Chandler, Dickie, Fuhrman, Hastings, Nealey, Sanders, Schoon, Smith C, Struthers, West - 13.

Absent: Representatives Armstrong, Clayton, Egger, Isaacson, Nelson G, Smitherman, Sommers, Vander Stoep, Walk, Williams J - 10.

Engrossed House Bill No. 1462 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.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 977, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 977, delaying the effective date of administrative revocation of driver's licenses for DWI violations and instituting an interim system of temporary licenses, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 47, chapter 165, Laws of 1983 (uncodified) is amended to read as follows:

Sections 2, 3 through 12, 14, 16, 18, 22, 24, and 26 of ~~((this act))~~ chapter 165, Laws of 1983 shall take effect on January 1, ~~((1985))~~ 1986. The remainder of ~~((this act))~~ chapter 165, Laws of 1983 is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on July 1, 1983. The director of licensing may immediately take such steps as are necessary to insure that all sections of ~~((this act))~~ chapter 165, Laws of 1983 are implemented on their respective effective dates.

NEW SECTION. Sec. 2. There is added to chapter 46.20 RCW a new section to read as follows:

(1) Whenever any person is arrested for a violation of RCW 46.61.502 or 46.61.504, the arresting officer shall, at the time of arrest, confiscate the person's Washington state license or permit to drive, if any, and issue a temporary license to replace any confiscated license or permit.

(2) Within twenty-four hours of the arrest, the arresting officer shall transmit any confiscated license or permit to the department with a report indicating the date and location of the arrest.

(3) Any temporary license issued under this section shall be dated with the same expiration date as the confiscated license or permit. A temporary license shall be valid only until the sooner of:

(a) Its expiration date; or

(b) The suspension, revocation, or denial by judicial or administrative action for any reason of the license, permit, or privilege to drive of the person holding the temporary license.

(4) The department shall return, replace, or authorize renewal of any confiscated license or permit that has not been suspended or revoked for any reason upon notification:

(a) By the law enforcement agency that made the arrest that a charge has not been filed for the offense for which the license or permit was confiscated;

(b) By the prosecuting authority of the jurisdiction in which the offense occurred that the charge has been dropped or changed to other than one for which confiscation is required under this section; or

(c) By the court in which the case has been or was to be heard that the charge has been dismissed or that the person charged has been found not guilty of the charge; or

(d) By a court that the person has been convicted of the offense for which the license or permit was confiscated, but the suspension or revocation of the license or permit has been stayed pending appeal of the conviction.

(5) If a temporary license issued under this section expires before the department receives notification under subsection (4) of this section, the department shall authorize the driver to seek renewal of the license. If the driver is qualified for renewal, the department shall issue a new temporary license with the same expiration date as the driver would have received had his or her license or permit not been confiscated.

(6) Upon receipt of a returned or replaced confiscated license from the department, the driver shall return any temporary license in his or her possession or shall sign an affidavit that the temporary license has been lost, stolen, or destroyed.

(7) No temporary license issued under this section is valid to any greater degree than the confiscated license or permit that it replaces.

(8) The department shall provide courts and law enforcement agencies with the appropriate temporary license and notice forms for use under this section.

(9) This section shall expire on December 31, 1985."

Signed by Senators Peterson, Clarke, Talmadge; Representatives Armstrong, Wang, Tilly.

MOTION

On motion of Mr. Wang, the House adopted the report of the Free Conference Committee on Substitute House Bill No. 977.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 977 as amended by Free Conference Committee.

Representatives Wang and Tilly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 977 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 5; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Loven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson; Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Armstrong, Clayton, Egger, Sommers, Williams J - 5.

Substitute House Bill No. 977 as amended by 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 Mr. Heck, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 84-153, by Representatives Wang, Padden and Armstrong

WHEREAS, Legislative history refers to the drafting and introduction of a bill, memorial, or resolution in a State Legislature, and its sequential history towards enactment, including committee reports, the amendatory process, debates, vetoes, and supporting documents; and

WHEREAS, Many legal researchers and practitioners know relatively little about how to gain access to documents on Washington State legislative history; and

WHEREAS, Legislative history is becoming increasingly important in interpreting legislative intent and is cited increasingly by state courts as an aid in construing statute law; and

WHEREAS, Better preservation of, easier access to, and greater knowledge of methods of determining legislative history would be in the best interests of the Legislature, the Courts, and the public;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That a Joint Select Committee be established to improve the accessibility and usefulness of legislative history; and

BE IT FURTHER RESOLVED, That this committee shall review current procedures for maintenance of legislative history, determine how a more complete history could be kept, how the legislative history could be better used by legislators, attorneys and the courts, how to improve public access to legislative history and other issues related to legislative history; and

BE IT FURTHER RESOLVED, That this committee shall consist of ten members; and

BE IT FURTHER RESOLVED, That the Speaker of the House of Representatives name one member from each Caucus of the House of Representatives; and

BE IT FURTHER RESOLVED, That the following persons are requested to serve on the committee:

(1) One member from each Caucus of the Senate selected by the President of the Senate;

(2) The Chief Clerk of the House of Representatives;

(3) The Secretary of the Senate;

(4) One member of the State Supreme Court selected by the Chief Justice;

(5) One lawyer licensed to practice in this state, selected by the board of governors of the Washington State Bar Association;

(6) The Director of the Washington State Law Library or his designee; and

(7) The Code Reviser or his designee; and

BE IT FURTHER RESOLVED, That the House of Representatives and the Senate are requested to provide adequate staff for the committee; and

BE IT FURTHER RESOLVED, That the committee shall submit its recommendations to the 1985 Regular Session of the 49th Legislature, after which it shall cease to exist.

Mr. Wang moved adoption of the resolution. Representatives Wang and Padden spoke in favor of the resolution, and Representative Barrett spoke against it.

Mr. R. King moved that further consideration of House Floor Resolution No. 84-153 be deferred until the next working day.

Representatives R. King and Armstrong spoke in favor of the motion and it was carried.

HOUSE FLOOR RESOLUTION NO. 84-160, by Representatives Galloway and Dickie

WHEREAS, Two hundred ninety-four thousand students from six hundred fifty schools participate in interscholastic activities each year in Washington state; and

WHEREAS, The regulation of interschool activities affects such matters as students' eligibility to participate in interscholastic sports, music, and drama, as well as school districts' responsibilities to finance these activities; and

WHEREAS, It is therefore very important that those organizations responsible for interscholastic activities such as the State Board of Education, local school boards, and the Washington Interscholastic Activities Association (as the designated administrator) have an effective working relationship;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That representatives of the Washington State School Directors' Association, the State Board of Education, and the Washington Interscholastic Activities Association meet with members of the House Education Committee to examine the organization and administration of interscholastic activities; and

BE IT FURTHER RESOLVED, That issues to be examined shall include, but not be limited to, current procedures and practices related to open meetings, dissemination of information to school districts and to the public, auditing requirements, and participation in policymaking by local school boards; and

BE IT FURTHER RESOLVED, That the results of the meetings shall be reported to the House Education Committee by December 1, 1984.

Representative Galloway moved adoption of the resolution. Representatives Galloway, Dickie and Taylor spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-163, by Representatives Pruitt and Barnes

WHEREAS, During the 1960s growing suspicion and concern arose regarding the influence of money on governmental decision making; and

WHEREAS, The failure of concerned citizens to achieve reform through the legislative process gave rise to the drafting of Initiative 276; and

WHEREAS, The citizens adopted Initiative 276 by an overwhelming margin and the policies of that act provide for full disclosure of the financing of lobbying activities; and

WHEREAS, Initiative 276 calls for the Public Disclosure Commission to enforce vigorously the initiatives reporting requirements so as to accomplish consistent and complete disclosure of lobbying activities; and

WHEREAS, There is increasing disagreement regarding what constitutes full and consistent disclosure of lobbying activities under RCW 42.17.150 through 42.17.180;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives direct the House Constitution, Elections and Ethics Committee to conduct a study of the reporting requirements contained in RCW 42.17.150 through 42.17.180; and

BE IT FURTHER RESOLVED, That the House Constitution, Elections and Ethics Committee may prepare and report on recommendations for any revisions, if necessary, to the reporting requirements of RCW 42.17.150 through 42.17.180 by December 1, 1984; and

BE IT FURTHER RESOLVED, That any recommendations for revisions to the reporting requirements shall assure that the will of the people shall be honored and that the circumstances which gave rise to the Initiative shall never be allowed to recur.

Mr. Pruitt moved adoption of the resolution. Representatives Pruitt and Barnes spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-171, by Representatives Ballard and Tilly

WHEREAS, Douglas County is celebrating its one hundredth anniversary in 1984; and

WHEREAS, Douglas County became a county on November 28, 1883, when the Territorial Governor signed the charter; and

WHEREAS, The first meeting of the Douglas County Commissioners was held on February 28, 1884; and

WHEREAS, Douglas County included what is now Grant County and had a population of one hundred in 1883; and

WHEREAS, Today Douglas County has a population of twenty-two thousand and is still growing; and

WHEREAS, The Waterville Historical Society, the Eastmont Chamber of Commerce, and other organizations are planning community events to commemorate the Douglas County one-hundred year anniversary;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives joins with the citizens of Douglas County in celebrating their centennial; and

BE IT FURTHER RESOLVED, That the House of Representatives recognizes the progress of Douglas County and wishes Douglas County continued prosperity; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to the Waterville Historical Society, the Eastmont Chamber of Commerce, and the Douglas County Courthouse.

Mr. Ballard moved adoption of the resolution. Representatives Ballard and Tilly spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-173, by Representatives Broback and Johnson

WHEREAS, The Washington State Legislature takes pride in recognizing the accomplishments of our state high school athletic programs; and

WHEREAS, The Lakes High School Boys' Swim team won the 1984 State High School Boys' Swim Championship; and

WHEREAS, Pierce County has dominated the state swim meet in recent years; and

WHEREAS, Wilson High School of Tacoma had won the state championship the past twenty-four years; and

WHEREAS, Competitive swimming requires long hours of daily devotion and personal sacrifice by all the members of the team; and

WHEREAS, The Lakes High School Lancers compiled the most points in the eleven event meet held at the University of Washington pool on March 3, 1984; and

WHEREAS, Lakes High School Head Coach Mike Stauffer led the Lakes High School team to 116 points, 18 points ahead of the second place finisher, Interlake High School;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Lakes High School Swim Team, State Swim Champions, be commended for its great success; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to head coach Mike Stauffer.

On motion of Mr. Broback, the resolution was adopted.

POINT OF PERSONAL PRIVILEGE

Mr. Van Dyken: "I did not find it appropriate to speak on House Floor Resolution No. 84-163, which we just adopted, but I would at this time like to commend the sponsor of that resolution who has labored quietly for a number of years on ethics' matters and who has worked on public disclosure; who continues to try to see ethical standards increased. I just wanted to say that I am pleased to see that even though he is retiring from the legislature, he has the continued energy and resolve to try to see these matters--about which all of us feel deeply--are carried to a proper resolution. As one member of this party to a retiring member of another party, I would like to thank Representative Pruitt, with whom I've had the privilege to work on the Ethics Committee, the Joint Ethics Board, in a very bi-partisan manner, and I salute him for his efforts."

HOUSE FLOOR RESOLUTION NO. 84-174, by Representatives Van Dyken, Vander Stoep, Addison, Braddock, Tilly, Ballard, Fuhrman and Egger

WHEREAS, The Canadian Province of British Columbia borders the northern part of Washington State; and

WHEREAS, The government of British Columbia and its communities along the Washington State border have always worked closely with our State government; and

WHEREAS, British Columbia and Washington State have a long history of resolving disputes in a peaceful manner; and

WHEREAS, The people of British Columbia and Washington State share a common heritage, yet recognize their diversity of institutions and unique political systems;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives salute the government of British Columbia and its communities along the border for their willingness to work on common challenges; and

BE IT FURTHER RESOLVED, That we commend British Columbia for its willingness to work with us on Expo '86, the Point Roberts situation, law enforcement along the border, and community challenges on both sides of the border; and

BE IT FURTHER RESOLVED, That we continue to work together for the common good of all people in the region; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be provided to the Premier of British Columbia, Bill Bennett; and

BE IT FURTHER RESOLVED, That copies of this Resolution be provided to the local governments in British Columbia that border Washington State.

Mr. Van Dyken moved adoption of the resolution. Representatives Van Dyken, Vander Stoep and Addison spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-176, by Representatives Chandler, Tilly, C. Smith and Ballard

Whereas, The Central Washington University Wildcats men's swimming team won the 1984 national NAIA swimming championship which was held at Owachita Baptist College in Arkadelphia, Arkansas; and

WHEREAS, Coach Bob Gregson was named NAIA National Coach of the Year for the second consecutive year; and

WHEREAS, Eight of the eleven men on the team won All-American recognition with six first place finishes; and

WHEREAS, John Sayre won three individual races, set a national record in the 100 meter breaststroke, swam on two winning relay teams, was named an academic All-American, and NAIA Swimmer of the Year for the second consecutive year; and

WHEREAS, John Bryant won the 200 meter breaststroke in national record time; and

WHEREAS, The 400 meter freestyle relay team of Garvin Morlan, Tom Edwards, Jeff Walker, and John Sayre won its race in a national record time;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives assembled at Olympia in the 1984 Regular Session of the 48th Legislature, That heartiest congratulations are sent to the coach and members of the Central Washington University Wildcats NAIA National Championship men's swimming team; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded to Central Washington University President Donald Garrity, Coach Bob Gregson, and the members of the National Championship swimming team.

On motion of Mr. Chandler, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 84-166, by Representatives Sayan, R. King, Patrick and Berezoff

WHEREAS, Sudden large scale cessation of industrial operations and associated unemployment pose special problems to displaced workers and their communities, as well as affected agencies of the state; and

WHEREAS, A coordinated response to the problems experienced by such displaced workers, their communities and affected state agencies is essential to the informed allocation of state and federal resources; and

WHEREAS, It is essential that governmental policies recognize the need to foster a healthy business climate; and

WHEREAS, The Department of Commerce and Economic Development, the Department of Labor and Industries, the Department of Social and Health Services,

and the House Labor Committee possess expertise with respect to sudden large scale cessation of industrial operations and associated worker displacement;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, in legislative session assembled, that the aforementioned departments of the State of Washington and the House Labor Committee report to the House of Representatives by January 1, 1985, concerning the following:

(1) The problems occasioned by sudden large scale cessation of industrial operations and associated worker displacement;

(2) The resources, available and potential, for remedying problems occasioned by sudden large scale cessation of industrial operations and associated worker displacement;

(3) An analysis of alternative remedies by state and local governments to sudden large scale cessation of industrial operations and associated worker displacement;

(4) Recommendations for the encouragement of long range planning for sudden large scale cessation of industrial operations and associated worker displacement;

(5) The effect of such policies on the business climate of the state for present and prospective employers, including governmental policies that may cause plant closures; and

(6) If appropriate, recommend legislation; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the directors of the Department of Commerce and Economic Development, the Department of Social and Health Services, and the Department of Labor and Industries; and

BE IT FURTHER RESOLVED, That copies of this Resolution be provided to all interested members of the Washington business community and the public.

Mr. Sayan moved adoption of the resolution. Representatives Sayan and Betzoff spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 84-136, by Representatives Schoon, Schmidt, J. Williams, Silver, Vander Stoep, Patrick, Ballard, Fiske, Nealey, Allen, Betzoff, Wilson, Barnes, Isaacson, Dickie, C. Smith, Holland, Chandler, B. Williams, Taylor, Clayton, Van Dyken, Scott, Padden, Cantu, Miller, G. Nelson, Struthers, Long, Garrett, Pruitt, Kaiser, Jacobsen, Fisch, Egger, Ellis, Powers, Sayan, Lux, Smitherman, Sutherland, Belcher, Hine, Heck, Halsan, Dellwo, R. King, D. Nelson, Stratton, Barrett, Brekke, Addison, Tilly, Prince, Zellinsky, Burns, Fuhrman, Broback, West, Johnson, Hankins, Mitchell, Brough, Hastings, Van Luven, Haugen, Lewis, Bond and Sanders

WHEREAS, First Lady Nancy Reagan has become a leader in the nationwide fight against alcohol and drug abuse; and

WHEREAS, Mrs. Reagan has drawn national attention to alcohol and drug abuse among young people by lending her name and considerable energy to combat the problem; and

WHEREAS, Education and prevention are the most effective weapons concerned parents and educators have to win the fight against this national enemy; and

WHEREAS, A recent public television program, "The Chemical People Project," has been successful in stirring public interest in programs to fight abuse of alcohol and controlled substances; and

WHEREAS, The Chemical People Project encouraged town meetings of concerned citizens to heighten public awareness of this problem; and

WHEREAS, The citizens of Washington State responded in overwhelming numbers and participated in more than 130 town meetings to discuss formation of community task forces to address the problem of alcohol and drug abuse; and

WHEREAS, WQED of Pittsburg, producer of the two-part Chemical People Project television program aired nationally on public television stations chose Washington as the state in which to honor First Lady Nancy Reagan for her efforts to halt alcohol and drug abuse among young people; and

WHEREAS, As a result of Mrs. Reagan's efforts and the efforts of many concerned individuals a national coalition of organizations has formed to fight this problem;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That First Lady Nancy Reagan be honored for her efforts to educate young people with regard to the potential harm of alcohol and drug abuse; and

BE IT FURTHER RESOLVED, That Mrs. Reagan be congratulated for her success in raising the awareness of the nation to the dangers of teenage drinking and drug abuse; and

BE IT FURTHER RESOLVED, That women throughout the United States follow the lead of our First Lady, and direct their energies to raise the consciousness of young people in order to strengthen the future of this country; and

BE IT FURTHER RESOLVED, That the State of Washington will continue its efforts to curb the abuse of alcohol and drugs; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be given to First Lady Nancy Reagan in recognition of her selfless efforts to eliminate this problem.

Mr. Schoon moved adoption of the resolution. Representatives Schoon, Stratton and Schmidt spoke in favor of the resolution and it was adopted.

MESSAGES FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate refuses to grant a Conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4490.

Sidney R. Snyder, Secretary.

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3194, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3194, authorizing department to destroy vehicle license renewal applications upon entering the information contained on them into the computer system, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 46.08.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 22, Laws of 1971 ex. sess. and RCW 46.01.260 are each amended to read as follows:

The director, in his discretion, may destroy applications for vehicle licenses, copies of vehicle licenses issued, applications for drivers' licenses, copies of issued drivers' licenses, certificates of title and registration, or other documents, records, or supporting papers on file in his office which have been microfilmed or photographed or are more than five years old. If the applications for vehicle licenses are renewal applications, the director may destroy such applications when the computer record thereof has been updated.

NEW SECTION. Sec. 2. There is added to chapter 46.12 RCW a new section to read as follows:

Notwithstanding the provisions of chapter 42.17 RCW, the name or address of an individual vehicle owner shall not be released by the department, county auditor or other public agency except upon written request, signed by the person requesting disclosure, stating their full legal name and address. The request for disclosure is itself a public record, subject to inspection and copying, and shall be retained by the disclosing agency for two years.

When deemed appropriate by the disclosing agency, notice that such a disclosure request has been honored may be sent to the affected vehicle owner, indicating the name and address of the person requesting disclosure.

This section shall not apply to persons who routinely request disclosure of vehicle registration information for use in the course of their business or occupation."

In line 2 of the title after "amending" strike the remainder of the title and insert "section 46.08.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 22, Laws of 1971 ex. sess. and RCW 46.01.260; and adding a new section to chapter 46.12 RCW."

Signed by Senators Peterson, Hansen, Patterson; Representatives Walk, Sutherland, Wilson.

MOTION

On motion of Mr. Walk, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 3194.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute Senate Bill No. 3194 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3194 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 3194 as amended by 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 SENATE

March 7, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4306, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4306, modifying provisions relating to public health, have had the same under consideration and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. There is added to chapter 43.20 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Consumer representative' means any person who is not an elected official, who has no fiduciary obligation to a health facility or other health agency, and who has no material financial interest in the rendering of health services.

(2) 'Local health board' means a health board created pursuant to chapter 70.05, 70.08, or 70.46 RCW.

(3) 'Local health officer' means the legally qualified physician appointed as a health officer pursuant to chapter 70.05, 70.08, or 70.46 RCW.

Sec. 2. Section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030 are each amended to read as follows:

The state board of health shall be composed of ~~((six))~~ ten members. These shall be the secretary or ~~((his))~~ the secretary's designee and ~~((five))~~ nine other persons to be appointed by the governor, including four persons experienced in matters of health and sanitation, an elected city official who is a member of a local health board, an elected county official who is a member of a local health board, a local health officer, and ((one)) two persons representing the consumers of health care. Before appointing the city official, the governor shall consider any recommendations submitted by the association of Washington cities. Before appointing the county official, the governor shall consider any recommendations submitted by the Washington state association of counties. Before appointing the local health officer, the governor shall consider any recommendations submitted by the Washington state association of local public health officials. Before appointing one of the two consumer representatives, the governor shall consider any recommendations submitted by the state council on aging. The chairman shall be selected by the governor from among the ~~((five))~~ nine appointed members ((appointed by him)). The department of social and health services shall provide necessary technical staff support to the board. The board may employ an executive director and a confidential secretary, each of whom shall be exempt from the provisions of the state civil service law, chapter 41.06 RCW.

NEW SECTION. Sec. 3. (1) There is created the joint select committee on public health. The committee shall consist of the following members:

(a) Two majority members and two minority members of the senate, to be appointed by the president of the senate;

(b) Two majority members and two minority members of the house of representatives, to be appointed by the speaker of the house of representatives;

(c) The chair of the state board of health or the chair's designee;

(d) The chair of the state health coordinating council or the chair's designee;

(e) The director of the department of veterans affairs or the director's designee;

(f) The secretary of social and health services or the secretary's designee;

(g) A local public health official to be appointed by the president of the senate and the speaker of the house of representatives acting jointly;

(h) A physician licensed under chapter 18.71 RCW to be appointed by the president of the senate and the speaker of the house of representatives acting jointly; and

(i) Two persons who have demonstrated an interest in public health. One of these persons shall be appointed by the president of the senate and the other shall be appointed by the speaker of the house of representatives.

(2) Legislative members of the committee shall be reimbursed for travel expenses by their respective houses as provided under RCW 44.04.120. Nonlegislative members of the committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. The cost of travel expenses for members appointed under subsection (1) (h) and (i) of this section shall be paid by the senate and the house of representatives, the costs to be divided equally between the two houses.

(3) The committee shall study issues pertaining to public health and report its conclusions and recommendations to the legislature by January 1, 1986, on which date the committee shall cease to exist."

Signed by Senators Warnke, Zimmerman, Rinehart; Representatives Niemi, Vekich, Hankins.

MOTION

On motion of Ms. Niemi, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 4306.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute Senate Bill No. 4306 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4306 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas; 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruiitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott,

Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Loven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 4306 as amended by 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.

Representatives Ballard and Long were excused.

MOTION

Mr. Heck moved that the Rules committee be relieved of the following bills and the bills be placed at the top of the second reading calendar: HOUSE CONCURRENT RESOLUTION NO. 41, HOUSE CONCURRENT RESOLUTION NO. 44, HOUSE CONCURRENT RESOLUTION NO. 46, ENGROSSED SENATE CONCURRENT RESOLUTION NO. 142 AND SENATE CONCURRENT RESOLUTION NO. 149.

POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Padden.

Mr. Padden: "Representative Heck, could you briefly describe the titles of those resolutions?"

Mr. Heck: "Certainly, Representative Padden. HCR 41 deals with home schooling; HCR 44 is the strip-search legal issue; HCR 46 is comprehensive water resource management; ESCR 142 is the nuclear waste disposal site and SCR 149 deals with a joint select committee on the LEOFF system, although I should add that it would be our intention to offer a striking amendment which would deal with a comprehensive pension system."

The motion was carried.

MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

ESCR 154 by Senators Vognild, Wojahn, McManus, Gaspard, Haley, Lee and Conner - by Lieutenant Governor request

Providing for a study of international trade strategies and initiatives.

Referred to Committee on Rules.

MOTION

On motion of Mr. Heck, the House adjourned until 9:00 a.m., Thursday, March 8, 1984.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

SIXTIETH DAY
MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 8, 1984

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Long, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sarah Hallagan and Bradford Oliver. Prayer was offered by The Reverend Reginald Butt, Minister of St. Matthew's Church of Auburn.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4407,
SENATE BILL NO. 4421.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 41, by Representatives Dellwo, Padden, Stratton, Fuhrman, Galloway, Miller, Appelwick, Van Luven, Nealey, L. Smith, C. Smith, P. King, Chandler, Smitherman, Betrozoff, Egger, Schoon, Silver, Hastings, Johnson, Prince, Struthers, Mitchell, Long, Bailard, Barrett, Fiske, Holland, Broback, Patrick, Tilly, Brough, Cantu, Dickie, J. Williams, Bond and Taylor

Providing for a committee to study home schooling.

The resolution was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Dellwo and Fuhrman spoke in favor of passage of the resolution.

The resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 46, by Representatives Ellis and Grimm

Establishing the emergency commission on Comprehensive Water Resource Management.

The resolution was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. Ellis spoke in favor of the resolution, and it was adopted.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 142, by Senators Hurley, Fuller, Williams, Benitz and Goltz

Requiring legislative approval for nuclear waste disposal sites.

The resolution was read the second time.

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson and Isaacson:

Strike everything after "WHEREAS," on line 1 and insert the following:

"The United States Congress enacted the Nuclear Waste Policy Act of 1982 which envisions a cooperative state-federal relationship in selecting high-level nuclear waste repository sites in the United States; and

WHEREAS, The federal act recognizes both a legislative and executive role in establishing the state's position and policies with respect to the siting process; and

WHEREAS, A draft agreement is being negotiated between the state and the federal government as provided for by the Nuclear Waste Policy Act of 1982; and

WHEREAS, It is recognized that entering into this agreement does not indicate acceptance of a decision to locate a repository within the state; and

WHEREAS, The federal government maintains that its liability for accidents at the repository site or in the transportation of waste to the site is limited; and

WHEREAS, The Legislature finds that the safety of the citizens of the state of Washington is potentially endangered by the transportation of high-level radioactive waste through the state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, the House of Representatives concurring, That before an agreement is entered into between the state and the federal government, the following issues should be addressed: Whether foreign waste should be included in a repository; the reasons for which work should be suspended at the site; how the state may obtain injunctive relief; what role the state may play in the federal decision-making process if a decision is made to commingle defense and civilian wastes; the completion of an emergency response plan; and federal liability for accidents at the repository site or during transportation of waste to the site; and

BE IT FURTHER RESOLVED, That copies of this resolution be delivered to the Governor of the state of Washington, the Director of the Washington state Department of Ecology, and to the Secretary of the United States Department of Energy."

Representatives D. Nelson and Isaacson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. D. Nelson spoke in favor of the resolution and the resolution as amended by the House was adopted.

SENATE CONCURRENT RESOLUTION NO. 149, by Senators Bottiger, Newhouse, Vognild, Lee, Talmadge and Shinpoch

Establishing the joint select committee on the law enforcement officers' and fire fighters' retirement system.

The resolution was read the second time.

Ms. Monohon moved adoption of the following amendment by Representatives Monohon, Sommers and B. Williams:

On page 1, line 1, strike everything after "WHEREAS," and insert the following:

"The funding of the public retirement systems and provision of adequate benefits to retirees are of vital concern to the state's public employees and state's managers; and

WHEREAS, The public retirement systems of the state of Washington are faced with a large unfunded liability which threatens the future fiscal health of the state government; and

WHEREAS, Due to unexpected increases in compensation and disability claims, and other factors, the retirement systems have incurred liabilities far greater than was anticipated when the systems were established by the legislature; and

WHEREAS, Similar benefits have been granted on a piecemeal basis in the past, without consistency between plans and without adequate understanding of their costs; and

WHEREAS, The retirement statutes have been amended in a piecemeal manner in the past and currently contain much language which is outdated or unnecessarily complex; and

WHEREAS, The legislature is faced with many issues concerning the various state retirement systems, including:

(1) Means to increase the actuarial soundness of the systems;

(2) Methods of financing the systems, especially the possible restructuring of funding for the LEOFF system and the judicial retirement system;

(3) The need to clarify and simplify current retirement statutes;

(4) The adequacy of current retirement benefits, including LEOFF II disability benefits, cost-of-living increases, and portability provisions; and

(5) The examination of benefits for part time employees based on the findings study mandated by ESHB 1156;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, the Senate concurring, That a joint interim committee on public retirement be

established, consisting of eight members of the House of Representatives to be appointed by the Speaker of the House, with four members to be appointed from each caucus, and eight members of the Senate to be appointed by the Senate Majority Leader, with four members to be appointed from each caucus; and

BE IT FURTHER RESOLVED, That the joint interim committee on public retirement may also request the participation, on a nonvoting basis, of other concerned individuals; and

BE IT FURTHER RESOLVED, That 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 are requested to cooperate fully in the committee's work; and

BE IT FURTHER RESOLVED, That the committee shall prepare a report, including any recommendations, by January for the 1985 session of the legislature. The committee shall cease to exist upon presentation of its report."

Representatives Monohon and B. Williams spoke in favor of the amendment, and it was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Patrick spoke in favor of the resolution, and the resolution as amended by the House was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 11:00 a.m.

SECOND MORNING SESSION

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Long, who was excused.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 552,
 SECOND SUBSTITUTE HOUSE BILL NO. 689,
 HOUSE BILL NO. 1386,
 SUBSTITUTE SENATE BILL NO. 3926,
 SENATE BILL NO. 4407,
 SENATE BILL NO. 4421,
 SENATE BILL NO. 4504,
 SENATE BILL NO. 4798.

MESSAGES FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3194, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 4306, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 7, 1984

Mr. Speaker:

The Senate refuses to recede from its amendment to HOUSE BILL NO. 1201 on page 5, line 21, and insists on its position and once again asks the House to concur therewith, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Grimm moved that the House insist on its position on House Bill No. 1201 and again ask the Senate to recede from its amendment to page 5, line 21.

The Speaker declared the House to be at ease until 2:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Long, who was excused.

The Speaker stated the question before the House to be the motion by Representative Grimm that the House insist on its position on House Bill no. 1201.

ROLL CALL

The Clerk called the roll on the motion that the House insist on its position on House Bill No. 1201, and the motion was lost by the following vote: Yeas, 35; nays, 62; excused, 1.

Voting yea: Representatives Allen, Armstrong, Belcher, Braddock, Brekke, Crane, Dellwo, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Kaiser, King P, Kreidler, Locke, Lux, McMullen, Monohon, Moon, Pruitt, Rust, Sayan, Scott, Sommers, Stratton, Sutherland, Tanner, Todd, Walk, Wang, and Mr. Speaker - 35.

Voting nay: Representatives Addison, Appelwick, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, King J, King R, Lewis, McClure, Miller, Mitchell, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Vekich, West, Williams B, Williams J, Wilson, Zellinsky - 62.

Excused: Representative Long - 1.

Mr. Grimm moved that the House concur in the Senate amendment to House Bill No. 1201.

Mr. Wilson spoke in favor of the motion and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be final passage of House Bill No. 1201 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1201 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Long - 1.

House Bill No. 1201 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.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 552.

SECOND SUBSTITUTE HOUSE BILL NO. 689,
 HOUSE BILL NO. 1386,
 SUBSTITUTE SENATE BILL NO. 3194,
 SUBSTITUTE SENATE BILL NO. 4306,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 843,
 SUBSTITUTE HOUSE BILL NO. 977,
 HOUSE BILL NO. 1462,
 SUBSTITUTE SENATE BILL NO. 3194,
 SUBSTITUTE SENATE BILL NO. 4306.

The Speaker called on Mr. O'Brien to preside.

SENATE AMENDMENT TO HOUSE BILL

March 8, 1984

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1231 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that state-owned aquatic lands are a finite natural resource of great value and an irreplaceable public heritage. The legislature recognizes that the state owns these aquatic lands in fee and has delegated to the department of natural resources the responsibility to manage these lands for the benefit of the public. The legislature finds that water-dependent industries and activities have played a major role in the history of the state and will continue to be important in the future. The legislature finds that revenues derived from leases of state-owned aquatic lands should be used to enhance opportunities for public recreation, shoreline access, environmental protection, and other public benefits associated with the aquatic lands of the state. The legislature further finds that aquatic lands are faced with conflicting use demands. The purpose of sections 1 through 20 of this act is to articulate a management philosophy to guide the exercise of the state's ownership interest and the exercise of the department's management authority, and to establish standards for determining equitable and predictable lease rates for users of state-owned aquatic lands.

NEW SECTION, Sec. 2. The management of state-owned aquatic lands shall be in conformance with constitutional and statutory requirements. The manager of state-owned aquatic lands shall strive to provide a balance of public benefits for all citizens of the state. The public benefits provided by aquatic lands are varied and include:

- (1) Encouraging direct public use and access;
- (2) Fostering water-dependent uses;
- (3) Ensuring environmental protection;
- (4) Utilizing renewable resources.

Generating revenue in a manner consistent with subsections (1) through (4) of this section is a public benefit.

NEW SECTION, Sec. 3. (1) The management of state-owned aquatic lands shall preserve and enhance water-dependent uses. Water-dependent uses shall be favored over other uses in aquatic land planning and in resolving conflicts between competing lease applications. In cases of conflict between water-dependent uses, priority shall be given to uses which enhance renewable resources, water-borne commerce, and the navigational and biological capacity of the waters, and to state-wide interests as distinguished from local interests.

(2) The non-water-dependent use of state-owned aquatic lands is a low-priority use providing minimal public benefits and shall not be permitted to expand or be established in new areas except in exceptional circumstances where it is compatible with water-dependent uses occurring in or planned for the area.

(3) The department shall consider the natural values of state-owned aquatic lands as wildlife habitat, natural area preserve, representative ecosystem, or spawning area prior to issuing any initial lease or authorizing any change in use. The department may withhold from leasing lands which it finds to have significant natural values, or may provide within any lease for the protection of such values.

(4) The power to lease state-owned aquatic lands is vested in the department of natural resources, which has the authority to make leases upon terms, conditions, and length of time in conformance with the state Constitution and chapters 79.90 through 79.96 RCW.

(5) State-owned aquatic lands shall not be leased to persons or organizations which discriminate on the basis of race, color, creed, religion, sex, age, or physical or mental handicap.

NEW SECTION. Sec. 4. The definitions in this section apply throughout chapters 79.90 through 79.96 RCW.

(1) 'Water-dependent use' means a use which cannot logically exist in any location but on the water. Examples include, but are not limited to, water-borne commerce; terminal and transfer facilities; ferry terminals; watercraft sales in conjunction with other water-dependent uses; watercraft construction, repair, and maintenance; moorage and launching facilities; aquaculture; log booming; and public fishing piers and parks.

(2) 'Water-oriented use' means a use which historically has been dependent on a waterfront location, but with existing technology could be located away from the waterfront. Examples include, but are not limited to, wood products manufacturing, watercraft sales, fish processing, petroleum refining, sand and gravel processing, log storage, and house boats. For the purposes of determining rent under this chapter, water-oriented uses shall be classified as water-dependent uses if the activity either is conducted on state-owned aquatic lands leased on October 1, 1984, or was actually conducted on the state-owned aquatic lands for at least three years before October 1, 1984. If, after October 1, 1984, the activity is changed to a use other than a water-dependent use, the activity shall be classified as a nonwater-dependent use. If continuation of the existing use requires leasing additional state-owned aquatic lands and is permitted under the shoreline management act of 1971, chapter 90.58 RCW, the department may allow reasonable expansion of the water-oriented use.

(3) 'Nonwater-dependent use' means a use which can operate in a location other than on the waterfront. Examples include, but are not limited to, hotels, condominiums, apartments, restaurants, retail stores, and warehouses not part of a marine terminal or transfer facility.

(4) 'Log storage' means the water storage of logs in rafts or otherwise prepared for shipment in water-borne commerce, but does not include the temporary holding of logs to be taken directly into a vessel or processing facility.

(5) 'Log booming' means placing logs into and taking them out of the water, assembling and disassembling log rafts before or after their movement in water-borne commerce, related handling and sorting activities taking place in the water, and the temporary holding of logs to be taken directly into a processing facility. 'Log booming' does not include the temporary holding of logs to be taken directly into a vessel.

(6) 'Department' means the department of natural resources.

(7) 'Port district' means a port district created under Title 53 RCW.

(8) The 'real rate of return' means the average for the most recent ten calendar years of the average rate of return on conventional real property mortgages as reported by the federal home loan bank board or any successor agency, minus the average inflation rate for the most recent ten calendar years.

(9) The 'inflation rate' for a given year is the percentage rate of change in the previous calendar year's all commodity producer price index of the bureau of labor statistics of the United States department of commerce. If the index ceases to be published, the department shall designate by rule a comparable substitute index.

(10) 'Public utility lines' means pipes, conduits, and similar facilities for distribution of water, electricity, natural gas, telephone, other electronic communication, and sewers, including sewer outfall lines.

(11) 'Terminal' means a point of interchange between land and water carriers, such as a pier, wharf, or group of such, equipped with facilities for care and handling of cargo and/or passengers.

(12) 'State-owned aquatic lands' means those aquatic lands and waterways administered by the department of natural resources or managed under section 6 of this act by a port district. 'State-owned aquatic lands' does not include aquatic lands owned in fee by, or withdrawn for the use of, state agencies other than the department of natural resources.

NEW SECTION. Sec. 5. The use of state-owned aquatic lands for public utility lines owned by a governmental entity shall be granted without charge by an agreement, permit, or other instrument if the use is consistent with the purposes of sections 1 through 3 of this act and does not obstruct navigation or other public uses. Use for public parks or public recreation purposes shall be granted without charge if the aquatic lands and improvements are available to the general public on a first-come, first-served basis and are not managed to produce a profit for the operator or a concessionaire. The department may lease state-owned tidelands that are in front of state parks only with the approval of the state parks and recreation commission. The department may lease bedlands in front of state parks only after the department has consulted with the state parks and recreation commission.

NEW SECTION. Sec. 6. Upon request of a port district, the department and port district may enter into an agreement authorizing the port district to manage state-owned aquatic lands abutting or used in conjunction with and contiguous to uplands owned, leased, or otherwise managed by a port district, for port purposes as provided in Title 53 RCW. Such agreement shall include, but not be limited to, provisions defining the specific area to be managed, the term, conditions of occupancy, reservations, periodic review, and other conditions to ensure consistency with the state Constitution and the policies of this chapter. If a port district acquires operating management, lease, or ownership of real property which abuts state-owned aquatic

lands currently under lease from the state to a person other than the port district, the port district shall manage such aquatic lands if: (1) The port district acquires the leasehold interest in accordance with state law, or (2) the current lessee and the department agree to termination of the current lease to accommodate management by the port. The administration of aquatic lands covered by a management agreement shall be consistent with the aquatic land policies of chapters 79.90 through 79.96 RCW and the implementing regulations adopted by the department. The administrative procedures for management of the lands shall be those of Title 53 RCW.

No rent shall be due the state for the use of state-owned aquatic lands managed under this section for water-dependent or water-oriented uses. If a port district manages state-owned aquatic lands under this section and either leases or otherwise permits any person to use such lands, the rental fee attributable to such aquatic land only shall be comparable to the rent charged lessees for the same or similar uses by the department: PROVIDED, That a port district need not itemize for the lessee any charges for state-owned aquatic lands improved by the port district for use by carriers by water. If a port leases state-owned aquatic lands to any person for nonwater-dependent use, eighty-five percent of the revenue attributable to the rent of the state-owned aquatic land only shall be paid to the state.

Upon application for a management agreement, and so long as the application is pending and being diligently pursued, no rent shall be due the department for the lease by the port district of state-owned aquatic lands included within the application for water-dependent or water-oriented uses.

The department and representatives of the port industry shall develop a proposed model management agreement which shall be used as the basis for negotiating the management agreements required by this section. The model management agreement shall be reviewed and approved by the board of natural resources.

NEW SECTION. Sec. 7. Except as otherwise provided by this chapter, annual rent rates for the lease of state-owned aquatic lands for water-dependent uses shall be determined as follows:

(1)(a) The assessed land value, exclusive of improvements, as determined by the county assessor, of the upland tax parcel used in conjunction with the leased area or, if there are no such uplands, of the nearest upland tax parcel used for water-dependent purposes divided by the parcel area equals the upland value.

(b) The upland value times the area of leased aquatic lands times thirty percent equals the aquatic land value.

(2) As of July 1, 1989, and each July 1 thereafter, the department shall determine the real capitalization rate to be applied to water-dependent aquatic land leases commencing or being adjusted under subsection (3)(a) of this section in that fiscal year. The real capitalization rate shall be the real rate of return, except that until June 30, 1989, the real capitalization rate shall be five percent and thereafter it shall not change by more than one percentage point in any one year or be more than seven percent or less than three percent.

(3) The annual rent shall be:

(a) Determined initially, and redetermined every four years or as otherwise provided in the lease, by multiplying the aquatic land value times the real capitalization rate; and

(b) Adjusted by the inflation rate each year in which the rent is not determined under subsection (3)(a) of this section.

(4) If the upland parcel used in conjunction with the leased area is not assessed or has an assessed value inconsistent with the purposes of the lease, the nearest comparable upland parcel used for similar purposes shall be substituted and the lease payment determined in the same manner as provided in this section.

(5) For the purposes of this section, 'upland tax parcel' is a tax parcel, some portion of which has upland characteristics. Filled tidelands or shorelands with upland characteristics which abut state-owned aquatic land shall be considered as uplands in determining aquatic land values.

(6) The annual rent for filled state-owned aquatic lands that have the characteristics of uplands shall be determined in accordance with section 11 of this act in those cases in which the state owns the fill and has a right to charge for the fill.

NEW SECTION. Sec. 8. (1) Until June 30, 1989, the log storage rents per acre shall be the average rents the log storage leases in effect on July 1, 1984, would have had under the formula for water-dependent leases as set out in section 7 of this act, except that the aquatic land values shall be thirty percent of the assessed value of the abutting upland parcels exclusive of improvements, if they are assessed. If the abutting upland parcel is not assessed, the nearest assessed upland parcel shall be used.

(2) On July 1, 1989, and every four years thereafter, the base log storage rents established under subsection (1) of this section shall be adjusted in proportion to the change in average water-dependent lease rates per acre since the date the log storage rates were last established under this section.

(3) The annual rent shall be adjusted by the inflation rate each year in which the rent is not determined under subsection (1) or (2) of this section.

(4) If the lease provides for seasonal use so that portions of the leased area are available for public use without charge part of the year, the annual rent may be discounted to reflect such public use in accordance with rules adopted by the board of natural resources.

NEW SECTION. Sec. 9. For leases in effect on October 1, 1984, the rent shall remain at the annual rate in effect on September 30, 1984, until the next lease anniversary date, at which time rent established under section 7 or 8 of this act shall become effective. If the first rent amount established is an increase of more than one hundred dollars and is more than thirty-three percent above the rent in effect on September 30, 1984, the annual rent shall not increase in any year by more than thirty-three percent of the difference between the previous rent and the rent established under section 7 or 8 of this act. If the first rent amount established under section 7 or 8 of this act is more than thirty-three percent below the rent in effect on September 30, 1984, the annual rent shall not decrease in any year by more than thirty-three percent of the difference between the previous rent and the rent established under section 7 or 8 of this act. Thereafter, notwithstanding any other provision of this title, the annual rental established under section 7 or 8 of this act shall not increase more than fifty percent in any year.

This section applies only to leases of state-owned aquatic lands subject to section 7 or 8 of this act.

NEW SECTION. Sec. 10. If state-owned aquatic lands are used for aquaculture production or harvesting, rents and fees shall be established through competitive bidding or negotiation.

NEW SECTION. Sec. 11. Leases for nonwater-dependent uses of state-owned aquatic lands shall be charged the fair market rental value of the leased lands, determined in accordance with appraisal techniques specified by rule. However, rents for nonwater-dependent uses shall always be more than the amount that would be charged as rent for a water-dependent use of the same parcel. Rents and fees for the mining or other recovery of mineral or geothermal resources shall be established through competitive bidding, negotiations, or as otherwise provided by statute.

NEW SECTION. Sec. 12. If water-dependent and nonwater-dependent uses occupy separate portions of the same leased parcel of state-owned aquatic land, the rental rate for each use shall be that established for such use by this chapter, prorated in accordance with the proportion of the whole parcel that each use occupies. If water-dependent and nonwater-dependent uses occupy the same portion of a leased parcel of state-owned aquatic land, the rental rate for such parcel shall be subject to negotiation with the department taking into account the proportion of the improvements each use occupies.

NEW SECTION. Sec. 13. If a parcel leased for water-dependent uses is used for an extended period of time, as defined by rule of the department, for a nonwater-dependent use, the rental for the nonwater-dependent use shall be negotiated with the department.

NEW SECTION. Sec. 14. Except as agreed between the department and the lessee prior to construction of the improvements, rent shall not be charged under any lease of state-owned aquatic lands for improvements, including fills, authorized by the department or installed by the lessee or its predecessor before June 1, 1971, so long as the lands remain under a lease or succession of leases without a period of three years in which no lease is in effect or a bona fide application for a lease is pending.

If improvements were installed under a good faith belief that a state aquatic lands lease was not necessary, rent shall not be charged for the improvements if, within ninety days after specific written notification by the department that a lease is required, the owner either applies for a lease or files suit to determine if a lease is required.

NEW SECTION. Sec. 15. The manager shall, by rule, provide for an administrative review of any aquatic land rent proposed to be charged. The rules shall require that the lessee or applicant for release file a request for review within thirty days after the manager has notified the lessee or applicant of the rent due. For leases issued by the department, the final authority for the review rests with the board of natural resources. For leases managed under section 6 of this act, the final authority for the review rests with the appropriate port commission. If the request for review is made within thirty days after the manager's final determination as to the rental, the lessee may pay rent at the preceding year's rate pending completion of the review, and shall pay any additional rent or be entitled to a refund, with interest thirty days after announcement of the decision. The interest rate shall be the average rate of return for the prior calendar year on conventional real property mortgages as reported by the federal home loan bank board. Nothing in this section abrogates the right of an aggrieved party to pursue legal remedies including those under chapter 34.04 RCW. For purposes of this section, 'manager' is the department except where state-owned aquatic lands are managed by a port district, in which case 'manager' is the port district.

NEW SECTION. Sec. 16. For any lease for a term of more than one year, the department may require that the rent be secured by insurance, bond, or other security satisfactory to the department in an amount not exceeding two years' rent. The department may require additional security for other lease provisions. The department shall not require cash deposits exceeding one-twelfth of the annual rental.

NEW SECTION. Sec. 17. If the annual rent charged for the use of a parcel of state-owned aquatic lands exceeds four thousand dollars, the lessee may pay on a prorated quarterly

basis. If the annual rent exceeds twelve thousand dollars, the lessee may pay on a prorated monthly basis.

NEW SECTION. Sec. 18. The lessee shall pay interest at the rate of one percent per month on rent or other sums owing to the department commencing thirty days after the date each rent or other sum is due and payable, unless there is review pending under section 15 of this act.

NEW SECTION. Sec. 19. The department shall adopt such rules as are necessary to carry out the purposes of sections 1 through 18 of this act, specifically including criteria for determining under section 7(4) of this act when an abutting upland parcel has been inappropriately assessed and for determining the nearest comparable upland parcel used for water-dependent uses.

NEW SECTION. Sec. 20. Nothing in this chapter or RCW 79.93.040 or 79.93.060 shall modify or affect any existing legal rights involving the boundaries of, title to, or vested property rights in aquatic lands or waterways. Nothing in this chapter shall modify, alter, or otherwise affect the applicability of chapter 90.58 RCW.

Sec. 21. Section 83, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.93.040 are each amended to read as follows:

~~((Whenever, in any waterways created under the laws of this state,))~~ If the United States government ~~((shall have))~~ has established pierhead lines within ~~((said))~~ a waterway created under the laws of this state at any distance from the boundaries ~~((thereof))~~ established by the state, structures ~~((shall be allowed to))~~ may be constructed in that strip of waterway between the waterway boundary and the nearest pierhead line ~~((but))~~ only ~~((upon))~~ with the consent of the department of natural resources and upon such plans, terms, and conditions and for such term as ~~((approved and fixed))~~ determined by the department. However, no permit shall extend for a period longer than thirty years.

~~((The department shall require of the holder of every permit under this section a penalty bond with sufficient surety, to be approved by the department, in an amount not exceeding twice the amount of the annual rental, but in no case less than five hundred dollars. The bond shall secure the payment of the rental reserved in the permit, during the term of such permit or during such part thereof as said department in its discretion shall require to be covered by such bond. In case only a part of the term of such permit shall be covered thereby, the department shall require another like bond, to be executed and delivered within three months and not less than one month, prior to the expiration of the period covered by the previous bond, to cover the remainder of the term of the permit, or such part thereof as the department in its discretion shall require to be covered thereby. The department shall have power at any time to summon sureties upon any bond and to examine into the sufficiency of the bond, and if the department shall find the same to be insufficient, it shall require the holder of the permit to file a new and sufficient bond within thirty days after receiving notice to do so, under penalty of cancellation of the permit.))~~

The department ~~((shall have power upon sixty days' notice to))~~ may cancel any permit upon sixty days' notice for a substantial breach by the ~~((holder thereof))~~ permittee of any of the permit conditions ~~((thereof, or for lack of a bond therewith as required by this section)).~~

~~((In case(s) where such))~~ If a waterway ~~((s shall be))~~ is within the territorial limits of a port district ~~((organized under the laws of this state)),~~ the duties assigned by this section to the department ~~((shall))~~ may be exercised by the port commission of such port district ~~((and in every case the rentals received shall be disposed of as follows: Seventy-five percent shall be paid by the state treasurer to the county treasurer of the county wherein such port district is situated, for the use of said port district and twenty-five percent into the state treasury. PROVIDED: That in cases where the port district itself shall have constructed or shall have owned structures or improvements situated upon such strip of waterway since June 22, 1913, the entire rentals for such improved strip of waterway shall be paid directly to the county treasurer for the use of such port district.))~~ as provided in section 6 of this 1984 act.

Nothing in this section shall confer upon, create, or recognize in any abutting owner any right or privilege in or to any strip of waterway abutting any street and between prolongations of the lines of such street, but the control of and the right to use such strip is hereby reserved to the state of Washington, except ~~((that in cases situate in a port district such control and use shall vest in such port district))~~ as authorized by section 6 of this 1984 act.

Sec. 22. Section 85, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.93.060 are each amended to read as follows:

~~((Whenever any))~~ If a waterway established under the ~~((authority of the))~~ laws of this state, or any portion of ~~((such))~~ the waterway, ~~((shall))~~ has not ~~((have))~~ been excavated, or ~~((shall not be in use))~~ is not used for ~~((the purposes of))~~ navigation, or ~~((shall no longer be))~~ is not required in the public interest to exist as a waterway, such waterway or portion thereof may be vacated by written order of the commissioner of public lands ~~((of the state of Washington whenever he shall be))~~ upon request ~~((ed so to do))~~ by ordinance or resolution of the city council of the city in which such waterway is ~~((situate, in whole or in part, or, in case such waterway is situate, in whole or in part, in a port district organized under the laws of the state of Washington, whenever he shall be requested so to do))~~ located or by resolution of the port commission of ~~((such))~~ the port district ~~((and upon the making of such order the waterway or portion thereof shall~~

~~thereupon be deemed to be and shall be thereby vacated: PROVIDED, HOWEVER, That)) in which the waterway is located. If the waterway or portion thereof ((so)) which is vacated ((be)) is navigable water of the United States, or otherwise within the jurisdiction of the United States, a copy of such resolution or ordinance, together with a copy of ((said)) the vacation order of the commissioner of public lands ((certified to by him;)) shall be submitted to the United States Army Corps of Engineers for their approval, and if they approve, the ((same such)) waterway or portion thereof ((shall thereupon be deemed to be and shall be thereupon)) is vacated: PROVIDED, That if a port district owns property abutting the waterway and the provisions of this section are otherwise satisfied, the waterway, or the portion thereof that abuts the port district property, shall be vacated.~~

Upon such vacation ((occurring in either of the manners aforesaid;)) of a waterway, the commissioner of public lands shall notify the city ((within, or in front of;)) in which ((-such)) the waterway is located, and the city ((shall have)) has the right, if otherwise permitted by RCW 79.94.150, to extend across the portions so vacated any existing streets, or to select ((therefrom)) such portions ((thereof)) of the waterway as the city may desire for street purposes, in no case to exceed one hundred fifty feet in width for any one street. Such selection shall be made within sixty days subsequent to the receipt of notice of the vacation of the portion of the waterway ((so vacated)).

~~((Should such)) If the city fails to make ((such)) a selection within such time, or ((within such time make such selection)) selects only a portion of the waterway, the title of the remaining portions of ((such)) the vacated waterway ((so vacated)) shall vest in the state, unless the ((same be situate)) waterway is located within the territorial limits of a port district ((created under the laws of the state)), in which event, if otherwise permitted by RCW 79.94.150, ((such)) the title shall vest in ((said)) the port district. ((If subsequent to such vacation, the vacated waterway or portion of waterway shall be embraced within the limits of a port district created under the laws of the state, the title to such portions thereof as shall then remain undisposed of by the state shall vest in such port district. Such title so vesting shall be)) The title is subject to any railroad or street railway crossings existing at the time of such vacation.~~

NEW SECTION. Sec. 23. There is added to chapter 79.93 RCW a new section to read as follows:

Copies of waterway permits or leases in existence on the effective date of this act shall be delivered to the department of natural resources except in those cases in which the port district enters into an agreement authorizing management of state-owned aquatic land as provided in section 6 of this act.

Sec. 24. Section 9, chapter 167, Laws of 1961 as last amended by section 4, chapter 8, Laws of 1982 2nd ex. sess. and RCW 79.24.580 are each amended to read as follows:

After deduction for management costs as provided in RCW 79.64.040 and payments to towns under RCW 79.92.110(2), all moneys received by the state from the sale ((of tidelands, and shorelands;)) or lease of state-owned aquatic lands and from the sale of valuable material from ((tidelands, shorelands, beds of navigable waters and harbor areas and from the lease of shorelands and beds of navigable waters;)) state-owned aquatic lands shall be distributed as follows: (1) Forty percent shall be deposited in the aquatic lands enhancement account of the general fund which is hereby created. After appropriation, these funds shall be used solely for aquatic lands enhancement projects; for the purchase, improvement, or protection of aquatic lands for public purposes; for providing and improving access to such lands; and for volunteer cooperative fish and game projects; and (2) the remainder shall be deposited in the capitol purchase and development account of the general fund, the creation of which is hereby authorized or, in the event that revenue bonds are issued as authorized by RCW 79.24.630 through 79.24.647, into the state building bond redemption fund pursuant to RCW 79.24.638.

Sec. 25. Section 79, chapter 21, Laws of 1982 1st ex. sess. as last amended by section 1, chapter 153, Laws of 1983 and RCW 79.92.110 are each amended to read as follows:

~~((The rents paid under leases of harbor areas and tidelands belonging to the state of Washington, where not otherwise directed to a particular account, shall be disposed of as follows:~~

~~(1) Except as otherwise provided in this section, where the leased harbor area or tideland is situated within the territorial limits of a port district, twenty-five percent of the rentals received from such leases shall be paid by the state treasurer to the county treasurer of the county wherein such port district is situated for the use of such port district and said rental shall go into a special fund to be expended only for harbor or waterfront improvement purposes. The remaining seventy-five percent shall be deposited in the capitol purchase and development account of the general fund of the state treasury: PROVIDED, That in cases where the port district itself shall have before April 28, 1967, constructed or owned structures or improvements situate upon the leased harbor area, or tidelands, the entire rentals from such improved harbor area or tideland shall go to the port district: PROVIDED FURTHER, That whenever the port district shall after April 28, 1967, construct improvements on such leased harbor area or tidelands, the rental attributable to such improvements shall go to the port district.~~

~~(2) In all other cases twenty-five percent of the rents shall be paid by the state treasurer into the county treasury of the county in which the leased harbor area or tidelands are situated, the same to go into a special fund known as the 'harbor improvement fund', and to be disbursed only for harbor or harbor improvement purposes; and the remaining seventy-five percent shall be deposited in the capitol purchase and development account of the general fund of the state treasury. PROVIDED, That where any leased harbor area or tideland is situated within the limits of any incorporated city and is not embraced within the area of any port district, the legislative body of the county shall allocate the funds received from the lease thereof to the municipal authorities of such city to be expended by said authorities for harbor or waterfront purposes. PROVIDED FURTHER, That) (1) Where any leased harbor area or tideland is situated within the limits of a town, whether or not the harbor area or tideland lies within a port district, the rents from such leases shall be paid by the state treasurer to the municipal authorities of the town to be expended for water-related improvements.~~

~~((3)) (2) The state treasurer is hereby authorized and directed to make ((such)) payments to the respective ((county treasurers and municipal authorities for the use of such port districts, counties, or towns, as the case may be)) towns on the first days of July and January of each year, of all moneys ((in his hands on such dates)) payable under the terms of this section ((to such port district, counties, or towns respectively)).~~

NEW SECTION. Sec. 26. The department of natural resources may enter into agreements with the department of fisheries for the development of an intensive management plan for geoducks including the development and operation of a geoduck hatchery.

The department of natural resources shall evaluate the progress of the intensive geoduck management program and provide a written report to the legislature by December 1, 1990, for delivery to the appropriate standing committees. The evaluation shall determine the benefits and costs of continued operation of the program, and shall discuss alternatives including continuance, modification, and termination of the intensive geoduck management program.

NEW SECTION. Sec. 27. The department of natural resources shall evaluate the progress of the seaweed aquaculture program and provide a written report to the legislature by December 1, 1987, for delivery to the appropriate standing committees. The evaluation shall determine the benefits and costs of continued operation of the program, and shall discuss alternatives including continuance, modification, and termination of the seaweed aquaculture program. The expenditure of state funds for seaweed aquaculture shall, after June 30, 1989, be limited to those funds received pursuant to RCW 79.64.040 which are derived from commercial seaweed leases of state aquatic lands, unless otherwise expressly provided by law.

NEW SECTION. Sec. 28. Sections 1 through 20 of this act are each added to chapter 79.90 RCW.

NEW SECTION. Sec. 29. RCW 79.96.900 is decodified.

NEW SECTION. Sec. 30. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 93, Laws of 1917 and RCW 53.32.010;
- (2) Section 2, chapter 93, Laws of 1917 and RCW 53.32.020;
- (3) Section 3, chapter 93, Laws of 1917, section 3, chapter 72, Laws of 1979 and RCW 53.32.050;
- (4) Section 5, chapter 93, Laws of 1917 and RCW 53.32.060;
- (5) Section 4, chapter 93, Laws of 1917 and RCW 53.32.070;
- (6) Section 6, chapter 93, Laws of 1917 and RCW 53.32.900;
- (7) Section 72, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.92.040;
- (8) Section 73, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.92.050;
- (9) Section 103, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.94.180;
- (10) Section 104, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.94.190; and
- (11) Section 105, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.94.200.

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. This act shall take effect on October 1, 1984," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Belcher moved that the House do concur in the Senate amendment to Second Substitute House Bill No. 1231.

Ms. Belcher spoke in favor of the motion and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Second Substitute House Bill No. 1231 as amended by the Senate.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1231 as amended by the Senate, and the bill passed the House by the following vote:

Yeas, 97; nays, 0; excused, 1.

Voiting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Long - 1.

Second Substitute House Bill No. 1231 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.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1157, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1984

Mr. Speaker:

Mr. President:

We, of your conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1157, adopting the supplemental capital budget, have had the same under consideration, and we report that we are unable to agree, and respectfully request the powers of Free conference in order to amend the bill.

Signed by Senators McDermott, Deccio, Thompson; Representatives Braddock, Grimm, Tilly.

MOTION

On motion of Mr. Braddock, the House adopted the report of the Conference Committee on Engrossed Substitute House Bill No. 1157 and granted the committee the powers of Free Conference.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 1613, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1613, creating the Washington award for vocational excellence program, have had the same under consideration and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Every year community colleges, vocational-technical institutes, and high schools graduate students who have distinguished themselves by their outstanding performance in their occupational training programs. The legislature intends to recognize and honor these students by establishing a Washington award for vocational excellence.

NEW SECTION, Sec. 2. The Washington award for vocational excellence program is established. The purposes of this annual program are to:

- (1) Maximize public awareness of the achievements, leadership ability, and community contributions of the state's public vocational-technical students;
- (2) Emphasize the dignity of work in our society;
- (3) Instill respect for those who become skilled in crafts and technology;
- (4) Recognize the value of vocational education and its contribution to the economy of this state;
- (5) Foster business, labor, and community involvement in vocational-technical training programs and in this award program; and
- (6) Recognize the outstanding achievements of up to three graduating vocational or technical students in each legislative district.

NEW SECTION, Sec. 3. (1) The commission for vocational education shall have the responsibility for the development and administration of the Washington award for vocational excellence program. The commission shall develop the program in consultation with other state agencies and private organizations having interest and responsibility in vocational education, including but not limited to: The state board for community college education, the office of the superintendent of public instruction, a voluntary professional association of vocational educators, and representatives from business, labor, and industry.

(2) The commission shall establish a planning committee to develop the criteria for screening and selecting the students who will receive the award. This criteria shall include but not be limited to the following characteristics: Proficiency in their chosen fields, attendance, attitude, character, leadership, and civic contributions.

NEW SECTION, Sec. 4. The Washington award for vocational excellence shall be granted annually. The commission shall notify the students receiving the award, their vocational instructors, local chambers of commerce, the legislators of their respective districts, and the governor, after final selections have been made. The commission, in conjunction with the governor's office, shall prepare appropriate certificates to be presented to the selected students. Awards shall be presented in public ceremonies at times and places determined by the commission in cooperation with the office of the governor.

NEW SECTION, Sec. 5. The commission may accept any and all donations, grants, bequests, and devices, conditional or otherwise, or money, property, service, or other things of value which may be received from any federal, state, or local agency, any institution, person, firm, or corporation, public and private, to be held, used, or applied for the purposes of the Washington award for vocational excellence program. The commission shall encourage maximum participation from business, labor, and community groups. The commission shall also coordinate, where feasible, the contribution activities of the various participants.

The commission shall not make expenditures from funds collected under this section until February 15, 1985.

NEW SECTION, Sec. 6. 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 boards of regents and trustees of the state universities, regional universities, The Evergreen State College, and the community colleges shall waive tuition, operating, and services and activities fees for a maximum of one academic year for recipients of the Washington award for vocational excellence established under sections 1 through 5 of this act. To qualify for the waiver, recipients shall enter the college or university within three years of receiving the award.

NEW SECTION, Sec. 7. The respective governing boards of the public vocational-technical institutes shall provide fee waivers for a maximum of one school year for recipients of the Washington award for vocational excellence established under sections 1 through 5 of this act. To qualify for the waiver, recipients shall enter the public vocational-technical institute within three years of receiving the award.

NEW SECTION, Sec. 8. The Washington award for vocational excellence shall be effective commencing with the 1984-85 academic year. The commission for vocational education shall report on the program to the legislature and to the governor by January 15, 1985. The report shall include a description of the program, a copy of any rules implementing the program, a list of the participants, and the commission's recommendations for any additional statutory changes needed to improve the program.

Thereafter, the commission shall report on the results and effectiveness of this award program to the legislature and the governor on or before January 15 of each odd-numbered year. The 1987 report shall include an evaluation of the effects of expanding the tuition and fee waiver period from one to two years.

NEW SECTION, Sec. 9. There is appropriated from the general fund to the commission for vocational education for the biennium ending June 30, 1985, the sum of ten thousand dollars or so much thereof as may be necessary to carry out the purposes of this act.

NEW SECTION, Sec. 10. Sections 1 through 5, 7, and 8 of this act are each added to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW.

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."

On page 1, line 2 of the title, after "excellence;" strike the remainder of the title and insert "adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW; making an appropriation; and declaring an emergency."

Signed by Senators Gaspard, Goltz, Kiskaddon; Representatives Burns, Powers, Silver.

MOTION

On motion of Mr. Burns, the House adopted the report of the Free Conference Committee on Substitute House Bill No. 1613.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1613 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1613 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Baillard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Haisan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luvan, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Long - 1.

Substitute House Bill No. 1613 as amended by 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.

POINT OF INFORMATION

Mr. Barrett: "Mr. Speaker, because it is a fact not known generally, I would ask that you inform us at what time under Rule 11 of the Joint Rules, would Senate Bill 4403 be eligible to be considered by this body?"

The Speaker (Mr. O'Brien presiding): "In accordance with our rules, the thirty-six hours will have expired at 6 p.m. this evening, unless the rules are suspended."

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

Mr. Heck demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bond, Brough, Long, Nealey and Schoon.

On motion of Mr. Heck, the absent members were excused, and the House proceeded with business under the Call of the House.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate refuses to grant a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, and requests the House to once again consider the Free Conference Report on Engrossed Substitute Senate Bill No. 4490.

Sidney R. Snyder, Secretary.

MOTION

Mr. D. Nelson moved that the House adopt the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4490.

POINT OF ORDER

Mr. Isaacson: "A couple of days ago the House voted not to pass this report and asked for another conference. How is it that we are now reconsidering the same vote by which that bill lost when it was before the House earlier?"

SPEAKER'S RULING

The Speaker: "The last time this issue was before us there was a motion to adopt the Free Conference Report. That motion was not adopted. We then asked the Senate to grant the powers of Conference. They refused, sent it back to us and asked us once again to adopt the Free Conference Report. That's where we are now."

POINT OF PARLIAMENTARY INQUIRY

Mr. Isaacson: "Then the motion before us should not be to adopt the Free Conference Report, but rather to respond to the Senate message."

The Speaker: "You misunderstand; that's what we are doing."

Mr. D. Nelson spoke in favor of the motion, and Mr. Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House adopt the Free Conference Report on Engrossed Substitute Senate Bill No. 4490, and the motion was carried by the following vote: Yeas, 51; nays, 42; excused, 5.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Miller, Mitchell, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Struthers, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 42.

Excused: Representatives Bond, Brough, Long, Nealey, Schoon - 5.

FINAL PASSAGE OF SENATE BILL AS AMENDED
BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4490 as amended by the Free Conference Committee.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Todd.

Mr. Todd: "Representative Nelson, the bill refers to a lien for charges which may be enforced by shutting off power except that electricity for residential space heating may not be terminated between November 15 and March 15. What is this lien and can you tell us how it is derived?"

Mr. D. Nelson: "Current law provides for an automatic statutory lien for a municipal utility for a period of up to four calendar months for charges past due.

The utility may enforce this lien by shutting off power until the past-due bill is paid in full. In no event may the utility acquire a lien for more than four calendar months of the charges past due."

Mr. Todd: "Does this bill as revised by the Conference Committee, in any way, affect the time period for which a lien may apply?"

Mr. D. Nelson: "The answer is no, it does not. It merely prevents the shut-off of electricity used for residential space heating for the winter months if payments are made under an approved payment program. The time period for which a lien may apply is not extended."

Representatives Miller and Padden spoke against passage of the bill.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Locke.

Mr. Locke: "Representative Nelson, do the low-income assistance programs embodied in this bill cover only electric space heating offered by a municipality?"

Mr. D. Nelson: "No, this program is applicable to municipal utilities, public utility districts and private utilities in this state."

Mr. Isaacson opposed passage of the bill, and Mr. D. Nelson spoke in favor of it.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Nelson, we've just come through a significant recession and a lot of us had concerns about people who are at the poverty level who needed food, needed basic sustenance. I would imagine that if there were times when an individual would have been cut off from basic utilities, such as this bill addresses, that is the period in which it would have occurred. You have obviously done significant research on this issue. Could you share with the House instances or numbers, data, on how many people were terminated and who went through the winters without heat?"

Mr. D. Nelson: "Representative Van Dyken, I cannot share with you answers to both questions. I can give you some data. I gave one for the last heating season for Cowlitz County and I have numbers for other PUDs in the state. For example, Benton County, 634 out of 31,000; Clallam, 274 out of 17,000; Clarke, 1600 out of 82,000. It goes like that. It's usually about one to two percent. Of those, the numbers that have to live without heat have not been verified. Those are not statistics that the PUDs have. Perhaps special service agencies, particularly in the voluntary section, may have that kind of information, but there are a lot of people out there, frankly, who are choosing between heating and eating. They have to make that choice because those are two necessities. We've been lucky so far. We've had winter heating seasons that haven't been severe. If we really have a cold winter, which we didn't really have this year, then a lot more people will be in trouble."

Mr. Van Dyken: "Were these approximate one-percent heating cut-offs for these consumers on a permanent cut-off or were these temporary cut-offs that were later hooked up? Do you have that information?"

Mr. D. Nelson: "Representative Van Dyken, the data does not say. It simply says a number of disconnects. Whether or not they paid their bills after some time is not stated."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4490 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 56; nays, 37; excused, 5.

Voting yea: Representatives Addison, Appelwick, Armstrong, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers,

Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 56.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Isaacson, Johnson, Miller, Mitchell, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C. Smith L. Struthers, Tilly, Van Luven, Vander Sloep, West, Williams B, Williams J, Wilson, Zellinsky - 37.

Excused: Representatives Bond, Brough, Long, Nealey, Schoon - 5.

Engrossed Substitute Senate Bill No. 4490 as amended by 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 Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-153, by Representatives Wang, Padden and Armstrong

WHEREAS, Legislative history refers to the drafting and introduction of a bill, memorial, or resolution in a State Legislature, and its sequential history towards enactment, including committee reports, the amendatory process, debates, vetoes, and supporting documents; and

WHEREAS, Many legal researchers and practitioners know relatively little about how to gain access to documents on Washington State legislative history; and

WHEREAS, Legislative history is becoming increasingly important in interpreting legislative intent and is cited increasingly by state courts as an aid in construing statute law; and

WHEREAS, Better preservation of, easier access to, and greater knowledge of methods of determining legislative history would be in the best interests of the Legislature, the Courts, and the public;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That a Joint Select Committee be established to improve the accessibility and usefulness of legislative history; and

BE IT FURTHER RESOLVED, That this committee shall review current procedures for maintenance of legislative history, determine how a more complete history could be kept, how the legislative history could be better used by legislators, attorneys and the courts, how to improve public access to legislative history and other issues related to legislative history; and

BE IT FURTHER RESOLVED, That this committee shall consist of ten members; and

BE IT FURTHER RESOLVED, That the Speaker of the House of Representatives name one member from each Caucus of the House of Representatives; and

BE IT FURTHER RESOLVED, That the following persons are requested to serve on the committee:

(1) One member from each Caucus of the Senate selected by the President of the Senate;

(2) The Chief Clerk of the House of Representatives;

(3) The Secretary of the Senate;

(4) One member of the State Supreme Court selected by the Chief Justice;

(5) One lawyer licensed to practice in this state, selected by the board of governors of the Washington State Bar Association;

(6) The Director of the Washington State Law Library or his designee; and

(7) The Code Reviser or his designee; and

BE IT FURTHER RESOLVED, That the House of Representatives and the Senate are requested to provide adequate staff for the committee; and

BE IT FURTHER RESOLVED, That the committee shall submit its recommendations to the 1985 Regular Session of the 49th Legislature, after which it shall cease to exist.

The House resumed consideration of the resolution.

On motion of Mr. Tilly, the following amendments by Representatives Tilly, Wang, Barrett, Padden, R. King and Armstrong were adopted:

On page 1, line 24 after "history" insert ", including whether an improved system would be worth the increased costs"

On page 1, line 30 after "persons" insert "or their designees"

On page 2, line 10 and line 12 strike "or his designee"

On page 2, line 12 after "and" insert:

"BE IT FURTHER RESOLVED, That this committee shall coordinate its activities with the Joint Administrative Rules Review committee to avoid any potential duplication of efforts; and"

Mr. Barrett spoke in favor of the resolution as amended, and it was adopted.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 44, by Representatives Belcher, Miller, Armstrong, Allen, Locke, Halsan and Patrick

Studying the policy and legal issues relating to strip searching.

The resolution was read the second time.

Mr. Padden moved adoption of the following amendment by Representatives Padden, West and Egger:

Beginning on page 1, line 1, strike the entire resolution and insert the following:

"WHEREAS, There have been numerous reports of citizens, many of whom are women, being arrested for minor offenses and then being required to submit to a routine strip search at the time of booking at jail facilities; and

WHEREAS, Many citizens suffer severe emotional trauma during and after a strip search because of the humiliation and embarrassment of being stripped and submitting to a visual or physical search; and

WHEREAS, The Legislature in this state has struggled for many months with the issue of routine strip searching at the time of booking; and

WHEREAS, The courts in this state and other states have determined that some strip searches constitute an abuse of federal and state constitutional provisions prohibiting unreasonable searches and seizures; and

WHEREAS, Jail personnel have valid and reasonable concerns about weapons, illicit drugs, and other contraband entering jails which create security, safety, and health risks to jail personnel and other persons;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, the Senate concurring, That a special task force be created to examine the policy and legal issues relating to strip searching at the time of booking at jail facilities, and the task force shall report its recommendations to the 1985 Legislature; and

BE IT FURTHER RESOLVED, That the task force shall consist of the following:

(1) Four members of the House of Representatives, two from each of the two largest parties, appointed by the Speaker of the House;

(2) Four members of the Senate, two from each of the two largest parties, appointed by the President of the Senate;

(3) One representative from a county with a population of more than one hundred twenty-five thousand, such person having experience in jail administration, jointly appointed by the Speaker of the House and the President of the Senate;

(4) One representative from a county having a population of less than one hundred twenty-five thousand, such person having experience in jail administration, jointly appointed by the Speaker of the House and the President of the Senate;

(5) One representative selected by the Association of Washington Cities, jointly appointed by the Speaker of the House and the President of the Senate;

(6) One representative selected by the Washington State Association of County Officials, jointly appointed by the Speaker of the House and the President of the Senate;

(7) One representative selected by the Washington State Association of Sheriffs and Police Chiefs, jointly appointed by the Speaker of the House and the President of the Senate;

(8) One representative selected by the Washington State Association of Prosecuting Attorneys, jointly appointed by the Speaker of the House and the President of the Senate; and

(9) One citizen who has a background, experience, and education in the areas of law, privacy, and constitutional rights of arrestees, jointly appointed by the Speaker of the House and the President of the Senate; and

(10) One attorney with a particular expertise in criminal defense work; and

BE IT FURTHER RESOLVED, That the Senate and House Judiciary Committees shall provide staff for the task force."

Representatives Padden, West and Smitherman spoke in favor of the amendment, and Representatives Miller, Armstrong, Allen and Sayan spoke against it.

Mr. Padden spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Padden, West and Egger to House Concurrent Resolution No. 44, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Mitchell, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C. Smith L. Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 52.

Excused: Representatives Bond, Brough, Long, Nealey, Schoon - 5.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Belcher and Padden spoke in favor of the resolution.

POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Halsan.

Mr. Halsan: "Representative Belcher, is it your intention by this concurrent resolution that the commission established be allowed to not only give a majority report but a minority report as well?"

Ms. Belcher: "Absolutely."

Representatives West and Miller spoke in favor of the resolution, and it was adopted.

MESSAGES FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SENATE CONCURRENT RESOLUTION NO. 142 and has passed the resolution as amended by the House.

Bill Gleason, Assistant Secretary.

March 8, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 843,
SUBSTITUTE HOUSE BILL NO. 977,
HOUSE BILL NO. 1462,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1157, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1157, adopting the supplemental capital budget, have had the same under consideration and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A supplemental capital budget is hereby adopted and, subject to the provisions set forth in this 1984 act and in chapter 57, Laws of 1983 1st ex. sess., the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1985, out of the several funds specified in this act.

NEW SECTION. Sec. 2. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To conduct necessary land and boundary surveys at McNeil Island.

	Reappropriation	Appropriation
CEP & RI Acct		175,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		175,000

NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for domestic water system and roof repairs at the Northern State Multi-service Center.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,065,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,065,000

NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for OB-II fire damage repairs, replacements and operating expense reimbursement: PROVIDED, That \$1,871,000 of the amount appropriated be utilized for building repair and \$726,482 be utilized for office equipment replacement and DSHS operating expense reimbursement: PROVIDED FURTHER, That \$884,832 of the amount appropriated be used for repairs and fire safety retrofits to Office Building 2, as necessary to correct hazardous building characteristics identified by the City of Olympia and the OB-2 Fire Task Force.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		3,482,314
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,482,314

NEW SECTION. Sec. 5. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Reimbursement of capital appropriations used for OB-II emergency clean-up and first and third floor repairs.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,687,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,687,000

NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To conduct a structural inspection of the Temple of Justice.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		15,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		15,000

Sec. 7. Section 202, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

(1) Construct and equip facilities for the care, training, and rehabilitation of persons with sensory, physical or mental handicaps (Referendum 37—Phase III).

(2) Approve, construct, and equip facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps involving twenty projects and totaling \$2,645,000. The moneys allocated in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1983, and approved by March 31, 1984 (Referendum 37-Phase IV).

(3) Approve, construct, and equip facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps including as many of the following nine projects as are finally recommended by the Department of Social and Health Services and totaling no more than \$587,931.

(a) For Cowlitz County to purchase equipment to expand a vocational rehabilitation program for chronically mentally ill adults to increase their ability to function in a living, learning, and working environment: \$13,347.

(b) For Cowlitz County to purchase equipment to expand the number of maintenance and janitorial jobs and income producing contracts available to developmentally disabled adults: \$7,813.

(c) For Grays Harbor County to construct an addition and purchase equipment to expand vocational training and employment opportunities for developmentally disabled adults: \$308,607.

(d) For Spokane County to make specified improvements at the community center previously funded by Referendum 37 to permit increased use by blind and deaf clients: \$1,585.

(e) For Spokane County to construct a building to permit training, recreation, and treatment of ten psychiatrically ill children, housed in a residential facility previously funded by Referendum 37: \$140,129.

(f) For Walla Walla County to renovate a training center to improve programming for and productivity of developmentally disabled adults: \$20,026.

(g) For Whatcom County to construct a storage building and make certain improvements to an existing workshop already funded by Referendum 37 to enhance services to developmentally disabled adults: \$39,124.

(h) For Yakima County to purchase a module to serve as a diagnostic and day treatment facility for seriously mentally ill children and their families: \$27,531.

(i) For Yakima County to purchase microfilming equipment to train and employ developmentally disabled adults: \$29,769.

The moneys authorized in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1984, and approved by March 31, 1985 (Referendum 37 Phase V).

	Reappropriation	Appropriation
GF, Hndcp Fac Constr Acct	12,057,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,943,000		25,000,000

Sec. 8. Section 208, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Renovation, repair, and construction related to small projects.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		((2,637,666))
Project	Estimated	2,801,200
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		((2,637,666))
		2,801,200

NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Fire safety improvements—State-wide.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		1,500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,500,000

NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

For kitchen renovation and correct security safety hazards—Mission Creek Youth Camp.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		60,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		60,000

Sec. 11. Section 216, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES

Renovate and equip the main building, Phase III—Yakima Valley School.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	83,700	<u>6,031,500</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
((7,882,300))	((6,276,100))	((14,242,100))
7,721,700	3,295,300	17,132,200

NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES

Plan and design a therapy pool to serve the population of Interlake School, Medical Lake.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		30,000
Project	Estimated	Estimated
Costs	Costs	Total
through	7/1/85 and	Costs
6/30/83	Thereafter	
	720,000	750,000

Sec. 13. Section 221, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

~~((Repair cottages))~~ For critical interim repairs, design of cottage replacement and preparation of facility plan—Child Study and Treatment Center—Western State Hospital campus.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		245,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		245,000

Sec. 14. Section 226, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Renovate wards—Eastern State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		((562,300))
		<u>3,293,900</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	((10,791,600))	11,293,900
	<u>8,000,000</u>	

Sec. 15. Section 227, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH

Renovate wards—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		((377,100))
		<u>4,004,700</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	((16,696,800))	16,473,900

12,469,200

NEW SECTION. Sec. 16. FOR THE DEPARTMENT OF CORRECTIONSDesign and construct co-located housing units providing at least three hundred beds—
State Penitentiary, Walla Walla.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		11,600,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		11,600,000

Sec. 17. Section 229, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Renovate heating and ventilation system and replace electrical cable and generator—
McNeil Island.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	395,000	
<u>GF, CEP & RI Acct</u>		<u>2,415,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
105,000		((500,000))
		<u>2,915,000</u>

Sec. 18. Section 231, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Repair facilities and utilities—McNeil Island.

	Reappropriation	Appropriation
<u>GF, CEP & RI Acct</u>	<u>335,000</u>	
<u>GF, DSHS Constr Acct</u>	((1,000,000))	
	<u>665,000</u>	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,667,406		2,667,406

Sec. 19. Section 230, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Construct 500-bed medium security corrections center on the grounds of the Monroe Reformatory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	((12,970,000))	
	<u>13,667,000</u>	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
((20,892,300))		33,862,300
<u>20,195,300</u>		

Sec. 20. Section 243, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Replace old, small-capacity passenger ferry boat with larger-capacity boat—McNeil Island; PROVIDED, That the department of corrections and department of general administration shall evaluate the financial and scheduling feasibility of acquiring a locally-built vessel.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		((335,000))
		<u>485,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		((335,000))
		<u>485,000</u>

Sec. 21. Section 235, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Provide facilities for 600 additional inmates—Washington Corrections Center, Shelton.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		((18,510,000))
		<u>21,773,758</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		((18,510,000))
		<u>21,773,758</u>

NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF VETERANS AFFAIRS

To provide payment for the assessment against the Washington Veterans Home at Retsil by Utility Local Improvement District No. 1 for expanded sewage treatment facilities, including interest.

	Reappropriation	Appropriation
GF, CEP & RI Acct		358,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		358,000

NEW SECTION. Sec. 23. FOR THE DEPARTMENT OF VETERANS' AFFAIRS

Design funds for a one hundred bed skilled nursing facility in Walla Walla.

	Reappropriation	Appropriation
GF, CEP & RI acct		203,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,296,500	2,500,000

NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF NATURAL RESOURCES

To acquire fragile and endangered natural lands for conservancy.

	Reappropriation	Appropriation
GF, ORA—State		1,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,000,000

NEW SECTION. Sec. 25. FOR THE STATE PARKS AND RECREATION COMMISSION

To replace county park facilities destroyed by the Mount St. Helens eruption and relocate them in Seaquest State Park.

	Reappropriation	Appropriation
GF, ORA—State		285,000
General Fund, Federal		530,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		815,000

NEW SECTION. Sec. 26. FOR THE STATE PARKS AND RECREATION COMMISSION

Appraise and acquire land for a state park—Little Spokane.

	Reappropriation	Appropriation
GF, ORA—State		550,000
GF, ORA—Federal		550,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,100,000

Sec. 27. Section 511, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

To construct a one-half acre adult salmon holding pond, including a fishway system from the Lewis River, and spawning and rearing pens.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	((370,000)) <u>64,000</u>	
Project Costs Through 6/30/83 69,500	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs ((439,500)) <u>133,500</u>

Sec. 28. Section 517, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

To replace a portion of the Hurd Creek ponds main water supply line.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	((177,300)) <u>300</u>	
Project Costs Through 6/30/83 1,200	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs ((178,500)) <u>1,500</u>

NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF FISHERIES

To renovate adult holding ponds—Nooksak and Samish hatcheries.

	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		483,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 483,000

Sec. 30. Section 635, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GAME

Construct public access facilities—1-82, Yakima County.

	Reappropriation	Appropriation
GF. ORA—State		((206,500)) 185,500
GF. ORA—Federal		((206,500)) <u>185,500</u>
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs ((413,000)) <u>371,000</u>

NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF GAME

\$75,000 is appropriated from the game fund for a fencing program to control wildlife damage. The department shall provide one-half of the cost of fencing materials, the landowner shall provide one-half of the cost of fencing materials and all construction and maintenance costs. Lands fenced shall be determined by the state game commission.

NEW SECTION. Sec. 32. FOR THE UNIVERSITY OF WASHINGTON

Remodel existing space to house operations of the Washington Technology Center.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct		570,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 570,000

NEW SECTION. Sec. 33. FOR THE UNIVERSITY OF WASHINGTON

The state finance committee is authorized and requested to lend to the University Building Account such amounts at such times as may be necessary to support appropriations heretofore made from that account: PROVIDED, That said amounts loaned shall not exceed \$1,900,000, and such loans shall be repaid as directed by the Forty-Ninth Legislature in 1985.

NEW SECTION. Sec. 34. FOR WASHINGTON STATE UNIVERSITY

Food processing pilot plant and human nutrition lab—Planning through working drawings: PROVIDED, That part of the planning effort by the university shall include the identification

of industries which will benefit from the programs that will be affected by the project, and to what extent matching funds may be generated to support such programs from the benefited industries. The university shall report the results to the ways and means committees of the house and senate by December 1, 1984: PROVIDED FURTHER, That \$184,000 of the amount appropriated by section 822, Laws of 1983 1st ex. sess. to design a new facility for the department of chemistry, the energy institute and the biological chemistry institute shall revert to the Washington State University Building Account.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		772,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	12,496,000	13,268,000

Sec. 35. Section 829, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

((Complete the)) Design, renovation, and equipping of the manual arts building and Sutton Hall and mothballing of Sutton Hall.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	((4,761,000))	
	<u>2,528,000</u>	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
450,000		((5,231,000))
		<u>2,978,000</u>

NEW SECTION. Sec. 36. FOR EASTERN WASHINGTON UNIVERSITY

(1) Payment of Farm Credit Bank Building, Spokane, remodeling contract: PROVIDED, That no renovation contracts be signed after January 1, 1984.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct		176,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		176,700

(2) Acquisition of Farm Credit Bank Building, Spokane, to house existing Spokane area programs: PROVIDED, That no new remodeling or improvements related to program improvements above those required for programs as of the end of spring quarter 1983 shall be undertaken unless notice is provided to the ways and means committees of the house of representatives and senate and the office of financial management approves the project.

	Reappropriation	Appropriation
GF, H Ed Constr Acct		2,253,000
GF, EWU Cap Proj Acct		822,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,075,000

Sec. 37. Section 833, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

Handicap access.

	Reappropriation	Appropriation
GF, EWU Cap Proj Act	((50,000))	<u>50,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		50,000

NEW SECTION. Sec. 38. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
Design and installation of heating system—Clark College.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		4,715,500
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/83 120,000	7/1/85 and Thereafter	Costs 4,835,500
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Sec. 39. Section 873, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGES

Code requirement repairs at Bellevue and Centralia Community College.

GF. <u>St</u> H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	57,000
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		57,000

Sec. 40. Section 874, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGES

Heat system repairs at Clark College.

GF. <u>St</u> H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	396,000
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		396,000

NEW SECTION. Sec. 41. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

To provide for emergency repair projects to six campuses: Lower Columbia, Seattle Central, Shoreline (2), Spokane Falls, and Yakima Valley.

GF. <u>St</u> H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	1,246,800
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,246,800

NEW SECTION. Sec. 42. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

To provide for design and construction of a facility on Clark College campus for the purpose of accommodating instructional programs of The Evergreen State College and other four-year public institutions in the Vancouver area.

GF. <u>St</u> H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	1,500,000
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,500,000

NEW SECTION. Sec. 43. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

For the purchase of relocatables on the Edmonds Community College campus.

GF. <u>St</u> H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	162,000
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		162,000

NEW SECTION. Sec. 44. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

To design core facility for Whatcom Community College, to include working drawings.

GF. <u>St</u> H Ed Constr Acct	Reappropriation	Appropriation
Project	Estimated	220,000
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	3,934,700	4,157,700

Sec. 45. Section 17, chapter 143, Laws of 1981 as amended by section 110, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

(1) Prepare sites for commercial leases and land development projects.

GF. Res Mgmt Cost Acct	Reappropriation	Appropriation
Project	2,541,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
965,000	Thereafter	
	1,578,000	5,084,000
(2) Provide equipment repair and vehicle storage facility, Clearwater Correction Center Annex.		
GF. CEP & RI Acct	Reappropriation	Appropriation
Project	268,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
268,300	Thereafter	
		536,300
(3) Construct roads and bridges to state land, Cavanaugh Block Access.		
GF. For Dev Acct	Reappropriation	Appropriation
Project	450,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
25,000	Thereafter	
		475,000
(4) Develop irrigation for state land, Black Rock Project.		
GF. Res Mgmt Cost Acct	Reappropriation	Appropriation
Project	206,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
84,000	Thereafter	
		290,000
(5) Improve road for timber sales activities, Elbe Hills Betterment.		
GF. For Dev Acct	Reappropriation	Appropriation
GF. Res Mgmt Cost Acct	300,000	
Project	135,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
105,000	Thereafter	
		540,000
(6) Acquire recreational property on Mt. Si.		
GF. ORA—State	Reappropriation	Appropriation
GF. ORA—Federal	200,000	
Project	200,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
1,400,000	Thereafter	
		1,800,000
(7) Replace existing water system at department of natural resources Lacey compound.		
General Fund—State	Reappropriation	Appropriation
GF. Res Mgmt Cost Acct		16,000
Project		34,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
	Thereafter	
		50,000
(8) Purchase land for resource management, Natural Resources Land Bank.		
GF. For Dev Acct	Reappropriation	Appropriation
Project		2,000,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/81	7/1/83 and	Costs
1,000,000	Thereafter	
	4,000,000	7,000,000
(9) Construct and improve roads and bridges, management ponds.		

		Reappropriation	Appropriation
GF. For Dev Acct			240,000
GF. Res Mgmt Cost Acct		1,273,000	929,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
193,000	4,000,000		6,958,000
(10) Develop irrigation projects on state-owned land.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct		2,742,000	4,899,400
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
2,968,000	12,000,000		22,609,400
(11) Acquire rights-of-way access for land management.			
		Reappropriation	Appropriation
GF. For Dev Acct			169,000
GF. Res Mgmt Cost Acct			676,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
	1,600,000		3,311,000
(12) Construct boat launch ramp and breakwater, Marine Research Center.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			19,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
			19,000
(13) Purchase culverts and other materials for honor camp road maintenance.			
		Reappropriation	Appropriation
GF. CEP & RI Acct			150,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
20,000	200,000		370,000
(14) Increase seedling quality and production, Forest Nursery.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			110,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
			310,000
(15) Improve forest fire protection facilities.			
		Reappropriation	Appropriation
General Fund—State			49,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
15,000	40,000		104,000
(16) Provide access to potential commercial lease property, highway 18 interchange.			
		Reappropriation	Appropriation
GF. For Dev Acct			250,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/83 and		Costs
6/30/81	Thereafter		
			250,000
(17) Construct access to road to state land, Rock Creek Road rehabilitation.			
		Reappropriation	Appropriation
GF. For Dev Acct			250,000

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
(18) Construct and improve campsites, roads, trails, and other recreation projects.		
	Reappropriation	Appropriation
GF. ORV	507,000	429,000
GF. Snowmobile Acct		67,000
GF. ORA—State	99,000	310,000
GF. ORA—Federal	300,000	310,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
2,470,000	1,379,000	5,871,000
(19) Construct bridge and access road to state lands, McDonald Mainline.		
	Reappropriation	Appropriation
GF. For Dev Acct		69,700
GF. Res Mgmt Cost Acct		135,300
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		205,000
(20) Remodel five field buildings.		
	Reappropriation	Appropriation
General Fund—State		27,000
GF. For Dev Acct		23,000
GF. Res Mgmt Cost Acct		46,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		96,000
(21) Acquire the Milwaukee Railroad right-of-way and existing bridges from Easton in Kittitas County to Tekoa in Whitman County (PROVIDED , That any funds not expended for this acquisition shall be retained by the department of natural resources for the purpose of acquiring dredge spoil sites on the Cowlitz, Coweeman and Toutle rivers).		
	Reappropriation	Appropriation
GF. ORA—State		((3,500,000))
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		2,500,000
		((3,500,000))
		2,500,000
Sec. 46. Section 901, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:		
FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT OR SUCCESSOR AGENCY—PUBLIC FACILITIES CONSTRUCTION LOAN REVOLVING FUND		
For public works financing through the community economic revitalization board.		
Ten percent of the appropriation in this section shall be used to fund projects certified by the planning and community affairs agency or successor agency in the ((community block)) <u>state urban development action</u> grant program and approved by the community economic revitalization board.		
If Substitute House Bill No. 245 is not enacted before July 1, 1983, the appropriation in this section shall lapse.		
	Reappropriation	Appropriation
GF. St Bldg Constr Acct		20,000,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		20,000,000

NEW SECTION. Sec. 47. Section 126, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 48. Sections 2 through 6, 9, 10, 12, 16, 22 through 26, 29, 31 through 34, 36, 38, 41 through 44 of this act are each added to chapter 57, Laws of 1983 1st ex. sess.

NEW SECTION. Sec. 49. 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, on line 1 of the title, after "agencies;" strike the remainder of the title and insert "amending section 202, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 208, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 216, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 221, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 226, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 227, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 229, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 231, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 230, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 243, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 235, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 511, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 517, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 635, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 829, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 833, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 873, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 874, chapter 57, Laws of 1983 1st ex. sess. (uncodified); amending section 17, chapter 143, Laws of 1981 as amended by section 110, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 901, chapter 57, Laws of 1983 1st ex. sess. (uncodified); adding new sections to chapter 57, Laws of 1983 1st ex. sess.; creating a new section; repealing section 126, chapter 57, Laws of 1983 1st ex. sess. (uncodified); making appropriations; and declaring an emergency."

Signed by Senators McDermott, Deccio, Thompson; Representatives Braddock, Grimm, Tilly.

MOTION

On motion of Mr. Braddock, the House adopted the report of the Free Conference Committee on Engrossed Substitute House Bill No. 1157.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1157 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1157 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 84; nays, 9; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Van Luven, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Dickie, Fuhrman, Padden, Schmidt, Taylor, Vander Stoep, West, Williams B, Williams J - 9.

Excused: Representatives Bond, Brough, Long, Nealey, Schoon - 5.

Engrossed Substitute House Bill No. 1157 as amended by 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 Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-179, by Representatives Heck and G. Nelson

WHEREAS, The 1984 Regular Session of the Forty-eighth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the House after its adjournment and during the interim period before the next session;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That there is created the Executive Rules Committee, which shall consist of the Speaker and four additional members who shall be appointed by the Speaker from the Rules Committee. The Chief Clerk of the House shall be the nonvoting secretary of the Committee; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee is authorized to assign subject matters and bills, memorials, and resolutions to authorized committees for study during the interim, and the Speaker is authorized to create special and select committees as may be necessary to carry out the functions, including interim studies, of the House in an orderly manner and appoint members thereto with the approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That during the interim the Executive Rules Committee shall authorize schedules and locations for meetings of any authorized committee or subcommittee, and such committees or subcommittees may conduct hearings and scheduling without a quorum being present; and

BE IT FURTHER RESOLVED, That during the interim, authorized committees have the power of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives is directed to complete the work of the 1984 Regular Session of the Forty-eighth Legislature, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms is directed to complete the necessary work of the 1984 Regular Session of the Forty-eighth Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture, and equipment are clean and in good order, and to make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk are authorized and directed to retain such additional employees as may be necessary to continue the interim work of the Legislature and to fix their compensation therefor; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for any other business of the House of Representatives; and

BE IT FURTHER RESOLVED, That neither the Speaker nor the Chief Clerk may approve or sign any personal service contract without the express approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the State Treasurer is directed to draw warrants for the payment of salaries, per diems, in lieu payments, and reimbursements of and to the members of the House of Representatives, and the elected officers of the House of Representatives, and the retained employees each month upon vouchers signed by the members, officers, or employees and approved by the Chief Clerk of the House of Representatives, and he is authorized to deliver the warrants to the Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

WHEREAS, New developments in legislative processes and administration are constantly occurring; and

WHEREAS, The substantive matters requiring legislative action are becoming increasingly complex; and

WHEREAS, The Council of State Governments, the National Conference of State Legislatures, and other organizations are offering a variety of training and continuing education courses and meetings on such subjects; and

WHEREAS, The participation in those activities by members of the House and legislative staff will benefit the House in furthering the efficiency and economy of its operation;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker may authorize the attendance of members and staff members at such courses or meetings as may be deemed pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose; and

BE IT FURTHER RESOLVED, That members of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 44.04.120, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, which reimbursements shall be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

BE IT FURTHER RESOLVED, That employees of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, which reimbursement shall be paid on their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to approve vouchers of the members of the House, covering expenses incurred during the interim for official business of the Legislature or in preparation for the sessions of the Legislature and organizational duties in connection therewith, at the per diem rate provided by RCW 44.04.120, for each day or major portion thereof, plus mileage at the rate established by law; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized and directed, during the interim, and as authorized by the Speaker and the Employment Committee, to hire any necessary employees, to order necessary supplies, equipment, and printing to enable the House to carry out its work promptly and efficiently, and to accept committee reports, committee bills, prefiled bills, memorials, and resolutions as directed by the Rules of the House and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That after the adjournment of the 1984 Regular Session of the Forty-eighth Legislature the use of the House Chamber, any of its committee rooms, members' offices, or any of the furniture or furnishings therein, shall not be granted to anyone without the permission of the Speaker and the Chief Clerk of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to express the sympathy of the House by sending flowers in the event of a bereavement in a Representative's or Senator's family; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

On motion of Mr. Heck, the resolution was adopted.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1984

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 181 with the following amendments:

On page 1, line 25 after "diversity" strike everything down to and including "trusts" on line 26 and insert "of public uses on the trust lands"

On page 1, line 27 after "shall" strike "consider" and insert "comply with"

On page 3, line 22 after "members" strike everything though "lands" on line 23

On page 3, line 25 after "planning" insert "and real estate appointed by the commissioner of public lands"

On page 3, line 26 before "matters" strike "real estate" and insert "public trust"

On page 3, line 26 after "matters" insert "appointed by the superintendent of public instruction"

On page 3, line 27 after "matters" insert "appointed by the state treasurer"

On page 3, line 33 after "vacancy" strike everything through "years." on page 4, line 1 and insert "the vacancy shall be filled by the appointing authority. The initial term of the appointee of the commissioner shall expire in three years. The initial term of the appointee of the superintendent shall expire in four years. The initial term of the appointee of the treasurer shall expire in five years. All terms expire December 31."

On page 4, line 9 after "shall" strike "consider" and insert "adhere to"

On page 4, line 9 after "existing" insert "local"

On page 4, line 9 after "plans" insert ", zoning classifications, and duly adopted local policies"

On page 4, line 10 after "identification" insert "and determining the fair market value of the property"

On page 4, line 21 after "administration" insert ", and to the county, city, or town in which the property is situated"

On page 8, line 16 after "proceeds," insert "Necessary marketing costs includes reasonable costs associated with advertising the property and paying commissions."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Stratton, the House concurred in the Senate amendments to Second Substitute House Bill No. 181.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Second Substitute House Bill No. 181 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 181 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Bond, Brough, Long, Nealey, Schoon - 5.

Second Substitute House Bill no. 181 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.

Representatives Brough, Nealey and Schoon appeared at the bar of the House.

SIGNED BY THE SPEAKER

The Speaker announced that he was signing:

HOUSE BILL NO. 1201,
SECOND SUBSTITUTE HOUSE BILL NO. 1231,
SUBSTITUTE HOUSE BILL NO. 1613.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

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

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
 SENATE CONCURRENT RESOLUTION NO. 149.

MESSAGE FROM THE SENATE

March 7, 1984

Mr. Speaker:

The Senate adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4403, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4403, revising provisions relating to health care costs, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.010 are each amended to read as follows:

The primary purpose of this chapter is to promote the economic delivery of high quality, necessary, and effective (~~hospital~~) health care services to the people by establishing a hospital commission with authority over financial disclosure (~~and~~), budget (~~and~~), prospective rate (~~review~~) approval, and other related matters, including authority to develop a hospital reimbursement control system, which will assure all purchasers of (~~hospital~~) health care services that total hospital costs are reasonably related to total services, that costs do not exceed those that are necessary for prudently and reasonably managed hospitals, that hospital rates are reasonably related to aggregate costs, and that such rates are set equitably among all purchasers of these services without undue discrimination.

The legislature finds and declares that rising hospital costs are a vital concern to the people of this state because of the danger which is posed that hospital and health care services are fast becoming out of the economic reach of the majority of our population. It is further declared that health care is a right of the people and one of the primary purposes for which governments are established, and it is, therefore, essential that an effective cost control program be established (~~which will both enable and motivate hospitals to control their spiraling costs~~). It is the legislative intent, in pursuance of this declared public policy, to provide for uniform measures on a state-wide basis to control hospital (~~costs~~) rates without the sacrifice of quality of service or reasonable access to necessary health care.

The legislature further finds and declares that: (1) There is an increased need for comprehensive public oversight of the costs of and expenditures for health care services; (2) no one should be denied access to necessary health care because of poverty or unemployment; (3) access to necessary health care in rural areas must be assured; (4) the hospital commission and the public need additional information to make better-informed decisions about health care costs and charges; (5) there is a need to encourage market penetration of alternative health care delivery systems that have internal incentives to control costs and stimulate market competition, and that some regulatory policies have impeded health care cost containment by unduly restricting competition; (6) there is a need for more effective assessment of the impact of technology on the cost and delivery of health care services so that appropriate public policies may be adopted; and (7) the hospital commission should be more representative of a diversity of public interests so that it can more effectively carry out its mission.

It is the intent of the 1984 amendments to this chapter to strengthen certain regulatory policies which have had limited success in containing hospital costs since this chapter was enacted, and to promote constructive competition among health care delivery systems.

Sec. 2. Section 3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020 are each amended to read as follows:

As used in this chapter:

(1) 'Commission' means the hospital commission of the state of Washington as created by this chapter;

(2) 'Consumer' means any person whose occupation is other than the administration of health activities or the providing of health services, who has no fiduciary obligation to a health facility or other health agency, and who has no material financial interest in the rendering of health services;

(3) 'Hospital' means any health care institution which is required to qualify for a license under RCW 70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW, but shall not include beds utilized by a comprehensive cancer center for cancer research, or any health care institution conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any church or denomination.

(4) 'Diagnosis-related groups' is a classification system that groups hospital patients according to principal and secondary diagnosis, presence or absence of a surgical procedure, age, presence or absence of significant comorbidities or complications, and other relevant criteria, an example of which has been adopted as the basis for prospective payment under the federal medicare program by the social security amendments of 1983, Public Law 98-21.

(5) 'Medical technology' means the drugs, devices, and medical or surgical procedures used in the delivery of health care, and the organizational or supportive systems within which such care is provided.

(6) 'Technology assessment' means a comprehensive form of policy research that examines the technical, economic, and social consequences of technological applications, including the indirect, unintended, or delayed social or economic impacts. In health care, such analysis must evaluate efficacy and safety as well as efficiency.

(7) 'Charity care' means necessary hospital health care rendered to indigent persons, to the extent that the persons are unable to pay for the care or to pay deductibles or co-insurance amounts required by a third-party payer, as determined by the commission.

(8) 'Rate' means the maximum revenue which a hospital may receive for each unit of service, as determined by the commission.

(9) 'Comprehensive cancer center' means an institution and its research programs as recognized by the National Cancer Institute prior to April 20, 1983.

(10) 'Region' means one of the health service areas established pursuant to RCW 70.38.085, except that King county shall be considered a separate region for the purposes of this chapter.

Sec. 3. Section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030 are each amended to read as follows:

(1) There is hereby created a hospital commission, which shall be a separate and independent commission of the state. The commission shall be composed of ~~((five))~~ nine members appointed by the governor, ~~(and generally representative of the public as consumers, labor, business, and hospitals, and shall be individuals concerned with the delivery of quality health care; but in no event shall more than two members have any fiduciary obligation to a health facility or other health agency, nor any direct financial interest in the rendering of health services. In cases when proposed rate increases for osteopathic hospitals are to be considered, the representative of osteopathic hospitals on the technical advisory committee shall replace a hospital representative on the commission))~~ as follows:

(a) Three members representing consumers of health care services, at least one of whom represents the interests of low-income persons;

(b) One member representing private employers;

(c) One member representing labor;

(d) One member representing hospitals, but in cases in which rates for an osteopathic hospital are to be considered, the representative of osteopathic hospitals on the technical advisory committee shall replace the hospital representative on the commission;

(e) One member representing health care professionals licensed under Title 18 RCW;

(f) One member representing commercial health insurers or health care service contractors; and

(g) The secretary of social and health services, representing the interests of the state as a major purchaser of health care services. The secretary may delegate a permanent designee in the secretary's absence.

(2) Except for the members designated in subsection (1) (d) and (e) of this section, members shall not have any fiduciary obligation to any health care facility or any material financial interest in the provision of health care services.

Sec. 4. Section 5, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 36, Laws of 1977 and RCW 70.39.040 are each amended to read as follows:

Except for the secretary of social and health services or the secretary's designee, members of the commission shall serve for four-year terms ((- PROVIDED, That upon the expiration of the initial four-year terms, two persons shall be appointed for three-year terms and three persons for four-year terms and thereafter all members of the commission shall serve for four-year terms)). Appointments shall require senate confirmation. No member shall serve on the commission for more than two consecutive terms. A vacancy shall be filled by appointment for the remainder of the unexpired term and the initial appointments and vacancies shall not require senate confirmation until the legislature next convenes. Of the three additional members, other than the secretary, appointed after the effective date of this 1984 act, two shall initially be appointed for two-year terms and one for a three-year term.

Sec. 5. Section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050 are each amended to read as follows:

~~((The))~~ A member representing consumers of health care services and designated by the governor shall serve as chairman. The commission shall elect from its members a vice-chairman biennially. Meetings of the commission shall be held as frequently as its duties require. The commission shall keep minutes of its meetings and adopt procedures for the governing of its meetings, minutes, and transactions.

~~((Three))~~ Five members shall constitute a quorum, but a vacancy on the commission shall not impair its power to act. No action of the commission shall be effective unless ((three)) five members concur therein.

The members of the commission shall receive no compensation for their service as members but, with the exception of the secretary of social and health services or the secretary's designee, the members shall be reimbursed for their expenses while attending meetings of the commission in the same manner as legislators engaged in interim committee business as in RCW 44.04.120.

Sec. 6. Section 7, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 35, Laws of 1977 and RCW 70.39.060 are each amended to read as follows:

The commission ~~((shall appoint))~~ may employ a full time executive director ~~((and)),~~ a deputy director, an associate director for budget and rate review, an associate director for program planning and research, and a confidential secretary who shall be exempt from the civil service law, chapter 41.06 RCW and who shall perform the duties delegated by the commission. The executive director shall be the chief administrative officer of the commission and shall be subject to its direction.

The commission shall employ such other staff as are necessary to fulfill the responsibilities and duties of the commission, such staff to be subject to the civil service law, chapter 41.06 RCW, and under the supervision of the executive director. In addition, the commission may contract with third parties for services necessary to carry out its activities where this will promote economy, avoid duplication of effort, and make best use of available expertise.

Any such contractor or consultant shall be prohibited from releasing, publishing, or otherwise using any information made available to it under its contractual responsibility, without specific permission of the commission.

The commission may apply for and receive and accept grants, gifts, and other payments, including property and service, from any governmental or other public or private entity or person, and may make arrangements as to the use of these receipts, including the undertaking of special studies and other projects relating to hospital health care costs.

Sec. 7. Section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070 are each amended to read as follows:

In order to assist the commission in carrying out its duties, the governor shall appoint a technical advisory committee, hereinafter referred to as 'committee', which shall consist of ~~((eleven))~~ seventeen members as follows:

(1) One member who shall be a certified public accountant licensed pursuant to chapter 18.04 RCW and who shall be knowledgeable in the financial affairs of hospitals.

(2) ~~((One))~~ Two members who shall be ((a)) health care practitioners, one of whom shall be a physician, licensed under the laws of this state and who shall be knowledgeable in hospital administration.

(3) ~~((Five))~~ Six members who shall be representative of the interest of investor-owned, district, not-for-profit, osteopathic, ((and)) university, and rural hospitals.

(4) One member who shall be representative of consumers of health care.

(5) One member who shall be the secretary of the department of social and health services, or ((his)) the secretary's designee, to provide continuing liaison, data and support from those functions of the department which may affect the responsibilities of the commission and to represent the department as a purchaser of health care services.

(6) One member who shall be ((the director of the planning and community affairs agency, or his designee, to provide continuing liaison with the planning efforts of the comprehensive health planning council)) the executive director of the state health coordinating council established under RCW 70.38.055.

(7) One member of the commission, elected by the commission.

(8) One member who shall be representative of private employers.

(9) One member who shall be representative of commercial health insurers registered and doing business in the state under Title 48 RCW.

(10) One member who shall be representative of health care service contractors, as defined in RCW 48.44.010.

(11) One member who shall be representative of health maintenance organizations, as defined in RCW 48.46.030.

Except for the members designated in subsections (2), (3), (10), and (11) of this section, members of the committee shall not have any fiduciary obligation to any health care facility or any material financial interest in the provision of health care services.

With the exception of members designated in subsections (5) and (6) of this section, the members shall serve concurrently and shall have four-year terms. Any vacancy shall be filled by appointment by the governor and an appointee selected to fill such vacancy shall hold office for the balance of the term for which his predecessor was appointed. The committee shall elect from its members a chairman and a vice-chairman to serve concurrently with the chairman. The executive director of the commission shall act as executive secretary to the committee, and the commission shall otherwise offer such staff services and supplies as the committee may require to carry out its responsibilities.

The committee shall meet on call of the chairman of the commission, or on request of a majority of the commission. Members of the committee shall serve without compensation for their service as members but, except for those designated in subsections (5) and (6) of this section, shall be reimbursed for their expenses in the same manner as members of the commission.

Sec. 8. Section 9, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.080 are each amended to read as follows:

The committee shall have the duty upon the request of the commission to consult with and make recommendations to the commission:

- (1) On matters of public policy related to the delivery of health care services;
- (2) On rules and regulations proposed by the commission to implement this chapter;
- (3) On analyses and studies of hospital health care costs and related matters which may be undertaken by the commission; ~~((and))~~
- (4) On any issue related to medical technology or technology assessment in the area of health care; and
- (5) On such other matters as the commission may refer.

Sec. 9. Section 10, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.090 are each amended to read as follows:

To further the purposes of this chapter, the commission may create committees from its membership, and may create such ad hoc advisory committees in specialized fields, related to the functions of hospitals, the delivery of health care services, economic issues concerning health care, technology assessment, and such other subjects as it deems necessary, to supplement the resources provided by the technical advisory committee.

Sec. 10. Section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100 are each amended to read as follows:

(1) The commission, after study and in consultation with advisory committees, if any, shall establish by the promulgation of rules and regulations pursuant to the Administrative Procedure Act, chapter 34.04 RCW, a uniform system of accounting and financial reporting, including such cost allocation methods as it may prescribe, by which hospitals shall record and report to the commission their revenues, expenses, other income, other outlays, assets and liabilities, and units of service. All hospitals shall adopt the system for their fiscal year period to be effective at such time and date as the commission shall direct. In determining the effective date for reporting requirements, the commission shall be mindful both of the immediate need for uniform hospital reporting information to effectuate the purposes of this chapter and the administrative and economic difficulties which hospitals may encounter in conversion, but in no event shall such effective date be later than two and one-half years from the date of the formation of the commission.

(2) In establishing such accounting systems and uniform reporting procedures, the commission shall take into consideration:

- (a) Existing systems of accounting and reporting presently utilized by hospitals;
- (b) Differences among hospitals according to size; financial structure; methods of payment for services; and scope, type, and method of providing services; and
- (c) Other pertinent distinguishing factors.

(3) The commission shall, where appropriate, provide for modification, consistent with the purposes of this chapter, of reporting requirements to correctly reflect these differences among hospitals, and to avoid otherwise unduly burdensome costs in meeting the requirements of the uniform system of accounting and financial reporting.

(4) The accounting system, where appropriate, shall be structured so as to establish and differentiate costs incurred for patient-related services rendered by hospitals, as distinguished from those incurred with reference to educational research and other nonpatient-related activities including but not limited to charitable activities of such hospitals.

(5) The commission shall collect and maintain patient discharge data, including data necessary for identification of discharges by diagnosis-related groups. So far as possible, the data collection procedures shall be coordinated with any similar procedures or requirements of the federal department of health and human services for the medicare program and the needs of the department of social and health services in gathering public health statistics, in order to minimize any unduly burdensome reporting requirements imposed on hospitals.

Sec. 11. Section 12, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.110 are each amended to read as follows:

(1) Each hospital shall file annually, at such time as the commission may prescribe, its proposed budget for the next fiscal year, showing projected revenues and expenses and including such further information as the commission may require to implement the purposes of this chapter.

(2) Each hospital shall file annually with the commission after the close of the fiscal year:

(a) A balance sheet detailing the assets, liabilities, and net worth of the hospital;

(b) A statement of income and expenses; and

(c) Such other reports of the costs incurred in rendering services as the commission may prescribe.

((2)) (3) Where more than one licensed hospital is operated by the reporting organization, the information required by this section shall be reported for each hospital separately.

((3)) (4) The commission shall require certification of specified financial reports by the hospital's certified public accountant, and may require attestation as to such statements from responsible officials of the hospital that such reports have to the best of their knowledge and belief been prepared in accordance with the prescribed system of accounting and reporting.

((4)) (5) All reports, except privileged medical information, filed under this chapter shall be ~~(open to)~~ available for public inspection and copying under RCW 42.17.250 through 42.17.340.

((5)) (6) The commission shall ~~(have the right of inspection of)~~ inspect hospital books, audits, and records as reasonably necessary to ~~(verify hospital reports)~~ implement the policies and purposes of this chapter.

Sec. 12. Section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120 are each amended to read as follows:

(1) The commission shall from time to time undertake analyses and studies relating to ~~(hospital)~~ the need for and delivery of health care services, the availability of such services, hospital rates, health care costs, and ~~(to)~~ the financial status of any hospital or hospitals subject to the provisions of this chapter, and may publish and disseminate such information as it deems desirable in the public interest. It shall further ~~(require the filing of)~~ publish information concerning the ~~(total financial needs of each hospital and the resources available or expected to become available to meet such needs, including the effect of proposals made by area-wide and state comprehensive health planning agencies)~~ need for health care services identified by area-wide and state comprehensive health planning agencies under chapter 70.38 RCW and the extent to which such needs are being met.

(2) The commission shall also prepare and file such summaries and compilations or other supplementary reports based on the information filed with the commission hereunder as will advance the purposes of this chapter.

(3) The commission shall furnish a copy of any report regarding any hospital to the chief executive officer of the hospital and the presiding officer of the hospital's governing body.

Sec. 13. Section 14, chapter 5, Laws of 1973 1st ex. sess. as amended by section 82, chapter 75, Laws of 1977 and RCW 70.39.130 are each amended to read as follows:

The commission shall prepare and, prior to each legislative session beginning in January, transmit to the governor and to the legislature an annual report of commission operations and activities for the preceding fiscal year. This report shall include such findings and recommendations as the commission ~~(deems necessary)~~ believes will further the legislative goal of cost containment in the delivery of good quality health care services, including cost-containment programs that have been or might be adopted, and issues of access to good quality care. The report shall also include data on the amount and proportion of charity care provided by each hospital. The commission's report for 1986, to be submitted in January 1987, shall include an analysis of the impacts of section 15 of this 1984 act on (1) the use by indigent persons of health care settings other than hospitals and (2) the caseloads and costs associated with the limited casualty program for medical indigents under RCW 74.09.700. The department of social and health services and the health systems agencies established under chapter 70.38 RCW shall provide such information and assistance as the commission may reasonably require in preparing the report on the impact of section 15 of this 1984 act.

Sec. 14. Section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140 are each amended to read as follows:

(1) From and after a date not less than twelve months but not more than twenty-four months after the adoption of the uniform system of accounting and financial reporting required by RCW 70.39.100, as the commission may direct, the commission shall have the power to initiate such reviews or investigations as may be necessary to assure all purchasers of ~~(hospital)~~

health care services that the total costs of a hospital are reasonably related to the total services offered by that hospital, that costs do not exceed those that are necessary for prudently and reasonably managed hospitals, that the hospital's ((aggregate revenues as expressed by)) rates are reasonably related to the hospital's aggregate costs; and that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference. Effective July 1, 1985, if all 1984 amendments to this section and section 22 of this 1984 act take effect, this chapter does not preclude any hospital from negotiating with and charging any particular payer or purchaser rates that are less than those approved by the commission, if:

(a) The rates are cost justified and do not result in any shifting of costs to other payers or purchasers in the current or any subsequent year;

(b) The hospital granting such rates has been determined by the commission to be providing charity care at or above the average for such care in the region served by the hospital and as determined by the commission; and

(c) All the terms of such negotiated rates are filed with the commission within ten working days and made available for public inspection.

The commission may retrospectively disapprove such negotiated rates in accordance with procedures established by the commission if such rates are found to contravene any provision of this section.

(2) In order to properly discharge these obligations, the commission shall have full power to review projected annual revenues and approve the reasonableness of rates proposed to generate that revenue established or requested by any hospital subject to the provisions of this chapter. No hospital shall charge for services at rates ((other than)) exceeding those established in accordance with the procedures established hereunder. After June 30, 1985, rates for inpatient care shall be expressed using an appropriate measure of hospital efficiency, such as that based on diagnosis-related groups, and, if necessary for federal medicare participation in a hospital reimbursement control system, hospitals shall charge for such care at rates prospectively established and expressed in terms of a comparable unit of total payment, such as diagnosis-related groups. In the event any hospital reimbursement control system is implemented, children's hospitals shall be exempted until such time as a pediatric based classification system which reflects the unique resource consumption by patients of a children's hospital is perfected. For the purposes of this exemption, children's hospitals are defined as hospitals whose patients are predominantly under eighteen years of age.

(3) In the interest of promoting the most efficient and effective use of ((hospital)) health care service, and providing greater promise of hospital cost containment, the commission may ((promote and approve alternative methods of rate determination and payment of an experimental nature that may be in the public interest and consistent with the purposes of this chapter)) develop a hospital reimbursement control system in which all payers or purchasers participate, that includes procedures for establishing prospective rates, that deals equitably with the costs of providing charity care, and that shall include the participation of the federal medicare program under the social security amendments of 1983, Public Law 98-21. The commission shall have the authority to require utilization reviews of patient care to ensure that hospital admissions and services provided are medically justified. The commission may seek approval, concurrence, or participation in such a system from any federal agency, such as the department of health and human services, prior to securing legislative approval pursuant to concurrent resolution for implementation of any hospital reimbursement control system developed pursuant to this section. The commission shall involve the legislature in the development of any plan for a hospital reimbursement control system.

(4) The commission shall assure that no hospital or its medical staff either adopts or maintains admission practices or policies which result in:

(a) A significant reduction in the proportion of patients who have no third-party coverage and who are unable to pay for hospital services;

(b) A significant reduction in the proportion of individuals admitted for inpatient hospital services for which payment is or is likely to be less than the anticipated charges for or costs of such services;

(c) The refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital; or

(d) The refusal to provide emergency or other medically necessary services to any person who is in need of such services if the hospital provides such services. The commission shall establish by rule a definition of 'medically necessary services' for the purposes of this subsection (4)(d), which shall be narrowly construed.

(5) The commission shall serve as the state agency responsible for coordinating state actions and otherwise responding and relating to the efforts of the ((cost-of-living council or its successor)) federal department of health and human services in planning and implementing federal cost containment programs with respect to hospitals and related health care institutions as authorized by the ((Federal Economic Stabilization Act of 1976)) social security amendments

of 1983, as now or hereafter amended, or other federal law, and any rules or regulations promulgated thereto. In carrying out this responsibility, the commission may ~~((serve as the state agency responsible for recommending increases in rates for hospitals and related health care institutions to the cost of living council, or its successor; may apply to the cost of living council for authorization to administer a control program in Washington state in lieu of the federal controls established and otherwise administered by the cost of living council; may))~~ assume ~~((another))~~ any function or role authorized by appropriate federal regulations implementing the ~~((Federal Economic Stabilization Act of 1970))~~ social security amendments of 1983; or assume any combination of such roles or functions as it may determine will most effectively contain the rising costs of the varying kinds of hospitals and related health care institutions in Washington state. In determining its functions or roles in relation to ~~((the))~~ federal efforts ~~((to the cost of living council, or its successor))~~, the commission shall seek to ensure coordination, and the reduction of duplicatory cost containment efforts, by the state and federal governments, as well as the diligent fulfillment of the purposes of this chapter and declared public policy and legislative intent herein ~~((PROVIDED, HOWEVER, That in cases where the rates of nursing homes or similar health institutions are subject to review pursuant to the provisions of the Federal Economic Stabilization Act of 1970 or any rules or regulations promulgated thereto, the members of the commission representing hospitals shall not sit in the proceedings nor vote, and the governor shall appoint an ad hoc member representing nursing homes or similar health institutions in lieu thereof, who shall have the same powers as the other members with respect to such review only))~~.

Nothing in this chapter limits the ability of the department of social and health services to establish hospital payment rates pursuant to RCW 74.09.120 or in accord with a federally approvable state plan under Title XIX of the federal social security act.

NEW SECTION. Sec. 15. There is added to chapter 70.39 RCW a new section to read as follows:

Within six months of the effective date of this act, the commission shall establish by rule, consistent with the definition of charity care under RCW 70.39.020, the following:

(1) Uniform procedures, data requirements, and criteria for identifying patients receiving charity care;

(2) A definition of residual bad debt as a component of hospital rate-setting and budget review, including reasonable and uniform standards for collection procedures to be used in efforts to collect the unpaid portions of hospital charges that are the patient's responsibility.

NEW SECTION. Sec. 16. By January 1, 1985, a select committee of the legislature shall develop legislative recommendations for programs that will promote the state-wide development of comprehensive cost-effective managed health care systems and shall recommend programs that will promote use of such managed health care systems. The select committee shall be composed of twelve members of the legislature, six appointed by the speaker of the house of representatives and six appointed by the president of the senate, three from each of the two largest political caucuses in each house, upon recommendation of the majority and minority caucuses of their respective bodies.

The committee shall elect a chairperson from among its membership.

The committee is authorized to appoint a technical advisory committee to prepare proposals under which cost-effective managed health care systems could be used to control health care costs, to more equitably distribute charity care among hospitals and licensed health care practitioners, and more effectively provide publicly and privately financed patient care.

For the purposes of this study 'managed health care system' means any health care organization, including health providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof, that provides directly or by contract comprehensive health care services to one or more defined patient populations by enrollment or other prior agreement or arrangement.

NEW SECTION. Sec. 17. By January 1, 1985, the governor shall submit a six-year state health care purchasing plan to the legislature. The plan shall identify the number and type of health care services purchased by the state through the department of social and health services, the department of labor and industries, the state employees' insurance board, the office of superintendent of public instruction, and other agencies of government where state funds are used to purchase health care. The plan shall contain objectives for realizing specific dollar savings in the purchase of these health care services by obtaining discounts from providers, contracting with managed health care systems, altering copayment and deductible requirements, instituting improved utilization controls, using prospective payment arrangements, or by other means.

The governor or the governor's designee shall report the governor's progress in completing this plan to the legislative budget committee and the social and health services and ways and means committees of the house of representatives and the senate by September 30, 1984.

Sec. 18. Section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150 are each amended to read as follows:

To properly carry out its authority the commission shall:

(1) Compile and maintain all relevant financial (and), accounting, and patient discharge data in order to have available the statistical information necessary to properly conduct rate review and approval. Such data shall include necessary operating expenses, appropriate expenses incurred for charity care and for rendering services to patients who (cannot or) do not pay, all properly incurred interest charges, and reasonable depreciation expenses based on the expected useful life of the property and equipment involved. The commission shall define and prescribe by rule and regulation the types and classes of charges which cannot be changed except as provided by the procedure contained in RCW 70.39.160 and it shall also obtain from each such hospital a current rate schedule as well as any subsequent amendments or modifications of that schedule as it may require. So far as possible, the commission shall compile and maintain the same patient discharge data with respect to all patients as that required under the federal medicare program and the uniform billing procedures applicable to third-party payers.

(2) Permit any ((nonprofit)) hospital subject to the provisions of this chapter to charge reasonable rates which will permit the hospital to render necessary, effective, and efficient service in the public interest ((and on a solvent basis)).

(3) (Permit any proprietary profit-making hospital subject to the provisions of this chapter to charge reasonable rates which will permit the hospital to render effective and efficient service in the public interest and which includes an allowance for a fair return to stockholders based upon actual investment or, if the hospital elects, upon the fair value of the investment on the effective date of this section: PROVIDED, That once the election is made it may not be changed without the approval of the commission.

(4)) Take into account, in the determination of reasonable rates under this section, that it is its obligation to assure access to necessary, effective, economically viable, and efficient hospital health care capability throughout the state, rather than the solvency or profitability of any individual hospital subject to this chapter except where the insolvency of a hospital would seriously threaten the access of the rural public to basic health care services.

(4) Take into account, in the determination of reasonable rates under this section for each hospital, the recommendations of appropriate area-wide and state comprehensive health planning agencies to ensure compliance with Washington comprehensive health planning law, chapter 70.38 RCW.

((5) Permit, in considering a request for change in or initiating a review of rate schedules or other charges, any hospital subject to the provisions of this chapter to charge rates which will in the aggregate produce sufficient total revenue for the hospital to meet all of the reasonable obligations specified in this chapter.))

(5) Permit any hospital, whether proprietary, district, public, or not-for-profit, to retain the excess of its revenues, if any, that exceed the actual cost of providing services, generated as a result of cost-effective practices, if the hospital charges do not exceed rates permitted by the commission.

(6) On or before October 1 of each year, after notice and public hearing, and in full consideration of the intent and purpose of this chapter as expressed in RCW 70.39.010, adopt a target dollar amount of total state-wide hospital revenue for the ensuing calendar year. To set the target amount, the commission shall develop a standard methodology that considers such factors as changes in the economy, affordability of hospital care, cost of hospital-purchased goods, numbers and age of the population, technology, and severity of illness of hospital patients. The commission shall endeavor, in establishing rates, to assure that total hospital revenues do not exceed the target amount for the applicable year.

Sec. 19. Section 17, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.160 are each amended to read as follows:

From and after the date determined by the commission pursuant to RCW 70.39.140, no hospital subject to the provisions of this chapter shall change or amend that schedule of rates and charges of the type and class which cannot be changed without prior approval of the commission, except in accordance with the following procedure:

(1) Any request for a change in rate schedules or other charges must be filed in writing in the form and content prescribed by the commission and with such supporting data as the hospital seeking the change deems appropriate. Unless the commission orders otherwise as provided for in subsection (4) of this section, no hospital shall establish such changes except after publication and notice to the commission of at least thirty days from the time the rate is intended to go into effect. All proposed changes shall be plainly indicated on the schedule effective at that time and shall be open to public inspection. Upon receipt of notice, the commission may suspend the effective date of any proposed change. In any such case a formal written statement of the reasons for the suspension will be promptly submitted to the hospital. Unless suspended, any proposed change shall go into effect upon the date specified in the application.

(2) In any case where such action is deemed necessary, the commission shall promptly, but in any event within thirty days, institute proceedings as to the reasonableness of the proposed changes. The suspension may extend for a period of not more than thirty days beyond the date the change would otherwise go into effect: PROVIDED, That should it be necessary, the

commission may extend the suspension for an additional thirty days. After the expiration of ninety days from the date the rate is intended to go into effect the new rate will go into effect, if the commission does not approve, disapprove, or modify the request by that time.

(3) Such proposed changes shall be considered at a public hearing, the time and place of which shall be determined by the commission. The hearing shall be conducted by the commission. Evidence for and against the requested change may be introduced at the time of the hearing by any interested party and witnesses may be heard. The hearing may be conducted without compliance with formal rules of evidence.

(4) The commission may, in its discretion, permit any hospital to make a temporary change in rates which shall be effective immediately upon filing and in advance of any review procedure when it deems it in the public interest to do so. Notwithstanding such temporary change in rates, the review procedures set out in this section shall be conducted by the commission as soon thereafter as is practicable.

(5) Every decision and order of the commission in any contested proceeding shall be in writing and shall state the grounds for the commission's conclusions. The effects of such orders shall be prospective in nature.

Sec. 20. Section 21, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.200 are each amended to read as follows:

Every person who shall violate or knowingly aid and abet the violation of this chapter or any valid orders, rules, or regulations thereunder, or who fails to perform any act which it is herein made his duty to perform shall be guilty of a misdemeanor. Following official notice to the accused by the commission of the existence of an alleged violation, each day upon which a violation occurs shall constitute a separate violation. Any person violating the provisions of this chapter may be enjoined from continuing such violation. The commission has authority to levy civil penalties not exceeding one thousand dollars for violations of this chapter.

Sec. 21. Section 10, chapter 161, Laws of 1979 ex. sess. as last amended by section 7, chapter 235, Laws of 1983 and RCW 70.38.105 are each amended to read as follows:

(1) The department is authorized and directed to implement the certificate of need program in this state pursuant to the provisions of this chapter.

(2) There shall be a state certificate of need program which is administered consistent with the requirements of federal law as necessary to the receipt of federal funds by the state.

(3) No person shall engage in any undertaking which is subject to certificate of need review under subsection (4) of this section without first having received from the department either a certificate of need or an exception granted in accordance with this chapter.

(4) The following shall be subject to certificate of need review under this chapter:

(a) The construction, development, or other establishment of a new health care facility;

(b) The sale, purchase, or lease of part or all of any existing hospital as defined in RCW 70.39.020;

(c) Any capital expenditure by or on behalf of a health care facility which substantially changes the services of the facility after January 1, 1981, provided that the substantial changes in services are specified by the department in rule;

~~((e))~~ (d) Any capital expenditure by or on behalf of a health care facility which exceeds the expenditure minimum as defined by RCW 70.38.025. However, a capital expenditure which is not subject to certificate of need review under (a), (b), ~~((c))~~ (c), (e), ~~((or))~~ (f), or (g) of this subsection and which is solely for any one or more of the following is not subject to certificate of need review except to the extent required by the federal government as a condition to receipt of federal assistance and does not substantially affect patient charges:

(i) Communications and parking facilities;

(ii) Mechanical, electrical, ventilation, heating, and air conditioning systems;

(iii) Energy conservation systems;

(iv) Repairs to, or the correction of, deficiencies in existing physical plant facilities which are necessary to maintain state licensure;

(v) Acquisition of equipment, including data processing equipment, which is not or will not be used in the direct provision of health services;

(vi) Construction which involves physical plant facilities, including administrative and support facilities, which are not or will not be used for the provision of health services;

(vii) Acquisition of land; and

(viii) Refinancing of existing debt;

~~((c))~~ (e) A change in bed capacity of a health care facility which increases the total number of licensed beds or redistributes beds among facility and service categories of acute care, skilled nursing, intermediate care, and boarding home care if the bed redistribution is to be effective for a period in excess of six months;

~~((e))~~ (f) Acquisition of major medical equipment:

(i) If the equipment will be owned by or located in a health care facility; or

(ii) If, after January 1, 1981, the equipment is not to be owned by or located in a health care facility, the department finds consistent with federal regulations the equipment will be used to provide services for hospital inpatients, or the person acquiring such equipment did not

notify the department of the intent to acquire such equipment at least thirty days before entering into contractual arrangements for such acquisition:

((ff)) (g) Any new institutional health services which are offered in or through a health care facility, and which were not offered on a regular basis by, in, or through such health care facility within the twelve-month period prior to the time such services would be offered; and

((gp)) (h) Any expenditure by or on behalf of a health care facility in excess of the expenditure minimum made in preparation for any undertaking under subsection (4) of this section and any arrangement or commitment made for financing such undertaking. Expenditures of preparation shall include expenditures for architectural designs, plans, working drawings, and specifications. The department may issue certificates of need permitting predevelopment expenditures, only, without authorizing any subsequent undertaking with respect to which such predevelopment expenditures are made.

(5) No person may divide a project in order to avoid review requirements under any of the thresholds specified in this section.

Sec. 22. Section 11, chapter 161, Laws of 1979 ex. sess. as last amended by section 8, chapter 235, Laws of 1983 and RCW 70.38.115 are each amended to read as follows:

(1) Certificates of need shall be issued, denied, suspended, or revoked by the designee of the secretary of the department in accord with the provisions of this chapter and rules of the department which establish review procedures and criteria for the certificate of need program.

(2) Criteria for the review of certificate of need applications, except as provided in subsection (3) of this section for health maintenance organizations, shall include but not be limited to consideration of the following:

(a) The relationship of the health services being reviewed to the applicable health plans;

(b) The need that the population served or to be served by such services has for such services;

(c) The availability of less costly or more effective alternative methods of providing such services;

(d) The financial feasibility and the probable impact of the proposal on the cost of and charges for providing health services in the community to be served, including findings and recommendations of the Washington state hospital commission in the case of applications submitted by hospitals. An application by a hospital shall be denied if the state hospital commission does not recommend approval, unless the secretary provides the commission with a written statement setting forth the reason or reasons, and citing the applicable subsection or subsections of this section, for approving an application that the commission has determined to be not feasible:

(e) In the case of health services to be provided, (i) the availability of alternative uses of project resources for the provision of other health services, (ii) the extent to which such proposed services will be accessible to all residents of the area to be served, and (iii) the need for and the availability in the community of services and facilities for osteopathic and allopathic physicians and their patients. The department shall consider the application in terms of its impact on existing and proposed institutional training programs for doctors of osteopathy and medicine at the student, internship, and residency training levels;

(f) In the case of a construction project, the costs and methods of the proposed construction, including the cost and methods of energy provision, and the probable impact of the construction project reviewed (i) on the cost of providing health services by the person proposing such construction project and (ii) on the cost and charges to the public of providing health services by other persons;

(g) The special needs and circumstances of osteopathic hospitals ((and)); nonallopathic services and children's hospitals;

(h) Improvements or innovations in the financing and delivery of health services which foster cost containment and serve to promote quality assurance and cost-effectiveness;

(i) In the case of health services proposed to be provided, the efficiency and appropriateness of the use of existing services and facilities similar to those proposed; ((and))

(j) In the case of existing services or facilities, the quality of care provided by such services or facilities in the past; and

(k) In the case of hospital certificate of need applications, whether the hospital meets or exceeds the regional average level of charity care, as determined by the hospital commission. No certificate of need may be granted to a hospital which has not met or exceeded the regional average level of charity care in the year preceding application and which does not give assurance it will continue to meet or exceed such level in the future.

(3) A certificate of need application of a health maintenance organization or a health care facility which is controlled, directly or indirectly, by a health maintenance organization, shall be approved by the department if the department finds:

(a) Approval of such application is required to meet the needs of the members of the health maintenance organization and of the new members which such organization can reasonably be expected to enroll; and

(b) The health maintenance organization is unable to provide, through services or facilities which can reasonably be expected to be available to the organization, its institutional health services in a reasonable and cost-effective manner which is consistent with the basic method of operation of the organization and which makes such services available on a long-term basis through physicians and other health professionals associated with it.

A health care facility (or any part thereof) or medical equipment with respect to which a certificate of need was issued under this subsection may not be sold or leased and a controlling interest in such facility or equipment or in a lease of such facility or equipment may not be acquired unless the department issues a certificate of need approving the sale, acquisition, or lease.

(4) The decision of the department on a certificate of need application shall be consistent with the state health plan in effect, except in emergency circumstances which pose a threat to the public health. The department in making its final decision may issue a conditional certificate of need if it finds that the project is justified only under specific circumstances. The conditions shall directly relate to the project being reviewed. The conditions may be released if it can be substantiated that the conditions are no longer valid and the release of such conditions would be consistent with the purposes of this chapter.

(5) Criteria adopted for review in accordance with subsection (2) of this section may vary according to the purpose for which the particular review is being conducted or the type of health service reviewed.

(6) The department shall specify information to be required for certificate of need applications. Within fifteen days of receipt of the application, the department shall request additional information considered necessary to the application or start the review process. Applicants may decline to submit requested information through written notice to the department, in which case review starts on the date of receipt of the notice. Applications may be denied or limited because of failure to submit required and necessary information.

(7) Concurrent review is for the purpose of comparative analysis and evaluation of competing or similar projects in order to determine which of the projects may best meet identified needs. Categories of projects subject to concurrent review include at least new health care facilities, new services, and expansion of existing health care facilities. The department shall specify time periods for the submission of applications for certificates of need subject to concurrent review, which shall not exceed ninety days. Review of concurrent applications shall start fifteen days after the conclusion of the time period for submission of applications subject to concurrent review. Concurrent review periods shall be limited to one hundred fifty days, except as provided for in rules adopted by the department authorizing and limiting amendment during the course of the review, or for an unresolved pivotal issue declared by the department.

(8) Review periods for certificate of need applications other than those subject to concurrent review shall be limited to ninety days. Review periods may be extended up to thirty days if needed by a review agency, and for unresolved pivotal issues the department may extend up to an additional thirty days. A review may be extended in any case if the applicant agrees to the extension.

(9) The department or a designated regional health council shall conduct a public hearing on a certificate of need application if requested unless the review is expedited or subject to emergency review. The department by rule shall specify the period of time within which a public hearing must be requested and requirements related to public notice of the hearing, procedures, recordkeeping and related matters.

(10) Any applicant denied a certificate of need or whose certificate of need has been suspended or revoked shall be afforded an opportunity for administrative review in accordance with chapter 34.04 RCW and a hearing shall be held within one hundred twenty days of a request therefor. An administrative law judge shall review the decision of the secretary's designee and render a proposed decision for consideration by the secretary in accordance with chapter 34.12 RCW or remand the matter to the secretary's designee for further consideration. The secretary's final decision is subject to review by the superior court as provided in chapter 34.04 RCW.

(11) The department may establish procedures and criteria for reconsideration of decisions.

(12) An amended certificate of need shall be required for the following modifications of an approved project:

- (a) A new service;
- (b) An expansion of a service beyond that originally approved;
- (c) An increase in bed capacity;
- (d) A significant reduction in the scope of a project without a commensurate reduction in the cost of the project, or a cost increase (as represented in bids on a construction project or final cost estimates acceptable to the person to whom the certificate of need was issued) if the total of such increases exceeds twelve percent or fifty thousand dollars, whichever is greater, over the maximum capital expenditure approved. The review of reductions or cost increases

shall be restricted to the continued conformance of the project with the review criteria pertaining to financial feasibility and cost containment.

(13) An application for a certificate of need for a capital expenditure which is determined by the department to be required to eliminate or prevent imminent safety hazards or correct violations of applicable licensure and accreditation standards shall be approved.

NEW SECTION. Sec. 23. There is added to chapter 70.39 RCW a new section to read as follows:

Each hospital under this chapter shall print and make available for public inspection as prescribed by the commission by rule a schedule of its rates as approved by the commission.

NEW SECTION. Sec. 24. There is added to chapter 70.39 RCW a new section to read as follows:

Every commercial health insurer registered and doing business in the state under Title 48 RCW, every health care service contractor as defined in RCW 48.44.010, and the department of social and health services shall, upon request by the commission but not more frequently than annually, furnish to the commission such information as is readily available which may assist the commission in developing cost containment proposals with respect to the fees of licensed health care practitioners. The commission may request such information from the entities identified in this section, and from the federal department of health and human services, if and when the commission deems appropriate to accord with any requirements of federal law which may be imposed.

Sec. 25. Section 9, chapter 223, Laws of 1982 and RCW 43.131.253 are each amended to read as follows:

The hospital commission and its powers and duties shall be terminated on June 30, ~~((1984))~~ 1989, as provided in RCW 43.131.254.

Sec. 26. Section 10, chapter 223, Laws of 1982 and RCW 43.131.254 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~((1985))~~ 1990:

(1) Section 2, chapter 5, Laws of 1973 1st ex. sess., section 1 of this 1984 act and RCW 70.39.010;

(2) Section 3, chapter 5, Laws of 1973 1st ex. sess., section 2 of this 1984 act and RCW 70.39.020;

(3) Section 4, chapter 5, Laws of 1973 1st ex. sess., section 3 of this 1984 act and RCW 70.39.030;

(4) Section 5, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 36, Laws of 1977, section 4 of this 1984 act and RCW 70.39.040;

(5) Section 6, chapter 5, Laws of 1973 1st ex. sess., section 5 of this 1984 act and RCW 70.39.050;

(6) Section 7, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 35, Laws of 1977, section 6 of this 1984 act and RCW 70.39.060;

(7) Section 8, chapter 5, Laws of 1973 1st ex. sess., section 7 of this 1984 act and RCW 70.39.070;

(8) Section 9, chapter 5, Laws of 1973 1st ex. sess., section 8 of this 1984 act and RCW 70.39.080;

(9) Section 10, chapter 5, Laws of 1973 1st ex. sess., section 9 of this 1984 act and RCW 70.39.090;

(10) Section 11, chapter 5, Laws of 1973 1st ex. sess., section 10 of this 1984 act and RCW 70.39.100;

(11) Section 12, chapter 5, Laws of 1973 1st ex. sess., section 11 of this 1984 act and RCW 70.39.110;

(12) Section 13, chapter 5, Laws of 1973 1st ex. sess., section 12 of this 1984 act and RCW 70.39.120;

(13) Section 14, chapter 5, Laws of 1973 1st ex. sess., section 82, chapter 75, Laws of 1977, section 13 of this 1984 act and RCW 70.39.130;

(14) Section 15, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 163, Laws of 1974 ex. sess., section 14 of this 1984 act and RCW 70.39.140;

(15) Section 16, chapter 5, Laws of 1973 1st ex. sess., section 1, chapter 154, Laws of 1977 ex. sess., section 18 of this 1984 act and RCW 70.39.150;

(16) Section 17, chapter 5, Laws of 1973 1st ex. sess., section 19 of this 1984 act and RCW 70.39.160;

(17) Section 18, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.170;

(18) Section 19, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.180;

(19) Section 20, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.190;

(20) Section 21, chapter 5, Laws of 1973 1st ex. sess., section 20 of this 1984 act and RCW 70.39.200;

(21) Section 22, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.900; ~~((and))~~

(22) Section 23, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.910;

(23) Section 15 of this 1984 act and RCW 70.39.---

(24) Section 23 of this 1984 act and RCW 70.39.---; and

(25) Section 24 of this 1984 act and RCW 70.39.---

NEW SECTION. Sec. 27. 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. 28. There is appropriated to the state hospital commission from the general fund, for the biennium ending June 30, 1985, the sum of eight hundred twenty-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act: PROVIDED, That at least twenty-five thousand dollars of the amount available for development of a hospital reimbursement control system, authorized pursuant to section 14 of this act shall be reserved as the state share, in conjunction with funds that may be made available by hospitals, professional associations, health care service contractors, commercial health insurance companies, or other third party payers and major purchasers of hospital services, in order to secure the professional services of national experts in health care economics, hospital financing or similar fields that might be necessary to develop such a system.

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."

On page 1, on line 1 of the title, after "costs;" strike the remainder of the title and insert "amending section 2, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.010; amending section 3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020; amending section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030; amending section 5, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 36, Laws of 1977 and RCW 70.39.040; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 7, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 35, Laws of 1977 and RCW 70.39.060; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 9, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.080; amending section 10, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.090; amending section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100; amending section 12, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.110; amending section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120; amending section 14, chapter 5, Laws of 1973 1st ex. sess. as amended by section 82, chapter 75, Laws of 1977 and RCW 70.39.130; amending section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140; amending section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150; amending section 17, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.160; amending section 21, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.200; amending section 10, chapter 161, Laws of 1979 ex. sess. as last amended by section 7, chapter 235, Laws of 1983 and RCW 70.38.105; amending section 11, chapter 161, Laws of 1979 ex. sess. as last amended by section 8, chapter 235, Laws of 1983 and RCW 70.38.115; amending section 9, chapter 223, Laws of 1982 and RCW 43.131.253; amending section 10, chapter 223, Laws of 1982 and RCW 43.131.254; adding new sections to chapter 70.39 RCW; creating new sections; making an appropriation; providing an effective date; and declaring an emergency."

Signed by Senators McDermott, Sellar, Talmadge; Representatives Kreidler, McClure.

MOTION

Mr. Kreidler moved that the House do adopt the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4403.

Mr. Kreidler spoke in favor of the motion, and Mr. Lewis spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4403, and the motion was carried by the following vote: Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Ballard, Barrett, Belcher, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams J, Wilson, Zellinsky - 42.

Excused: Representatives Bond, Long - 2.

FINAL PASSAGE OF SENATE BILL AS AMENDED
BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4403 as amended by Free Conference Committee.

Representative Kreidler spoke in favor of passage of the bill, and Representatives Lewis, Schmidt and Zellinsky spoke against it.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Kreidler, referring to section 18(4), starting on page 31, lines 36 through page 32, line 11, does the provision dealing with the solvency of hospitals anticipate that an efficiently managed proprietary hospital will be allowed a fair profit?"

Mr. Kreidler: "It is the intention of this provision that an efficiently managed proprietary hospital be given the opportunity to earn a fair return upon an investment in the hospital."

Representatives B. Williams and Fiske spoke in favor of the bill, and Representative Taylor spoke against it.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. McClure.

Mr. McClure: "Representative Kreidler, in the determination of regional averages for charity care, which a hospital may have to meet to be eligible for a certificate of need, is it really possible for all hospitals to meet whatever average might be set by the commission?"

Mr. Kreidler: "Yes. The intent of the bill, and that section in particular, is that the commission will establish a percentage for each region that is presumably near the regional average, a percentage that all hospitals would have a fair chance to meet. There is no intent to penalize any hospital that is making a good faith effort to come up to the regional mark, and absolutely no intent to penalize a hospital that does have an open door to all those in their community.

"As determined by the commission' is important language throughout this bill. It is not some bureaucrat making rote decisions by some rule book. This is a commission of nine highly responsible citizens, appointed by the Governor, representing consumers, payers, purchasers, health care professionals and hospitals. Those commissioners will not make any decision that is detrimental to either the public or to the individual hospitals. I have faith in their good judgment, their common sense. They will use their discretion. No hospital that is making a good faith effort to meet the needs of all of the sick in their community will not be penalized."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4403 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 58; nays, 38; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Braddock, Brekke, Burns, Cantu, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Luven, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 58.

Voting nay: Representatives Ballard, Barrett, Belcher, Betrozoff, Broback, Brough, Chandler, Clayton, Dellwo, Dickie, Egger, Fuhrman, Hankins, Hastings, Haugen, Isaacson, Lewis, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson, Zellinsky - 38.

Excused: Representatives Bond, Long - 2.

Engrossed Substitute Senate Bill No. 4403 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.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1190 with the following amendments:

On page 1, line 16 strike "eleven" and insert "twelve"

On page 1, line 16 strike "nine" and insert "eight"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1190.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Braddock, can you tell me which correctional facilities these are and where they are located? Is this a decreased amount or an increased amount?"

Mr. Braddock: "This bill provides for the correctional facilities that we approved in the capital budget. That is a reappropriation and the only change is the inserting of striking 11 and insert 12 on page 1, line 15. The sum is \$11,920,000. The difference, Representative Tilly, is the addition of the \$860,000 added to provide the sprinkling in OB-II that the Senate added to the capital budget."

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 1190 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1190 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Long - 2.

Engrossed House Bill No. 1190 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 8, 1984

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1194 with the following amendment:

On page 1, line 11 after "hundred" insert "sixty"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Braddock, the House concurred in the Senate amendment to Engrossed House Bill No. 1194.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 1194 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1194 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Long - 2.

Engrossed House Bill No. 1194 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 Mr. Heck, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4404 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators McDermott, Thompson, Patterson, Hughes, Woody, Zimmerman, Sellar, Gaspard, Peterson, Conner, Bauer, Barr and Fleming).

Providing loans for certain public works.

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

Ms. Hine spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Hine, the amount of money that will be required to be put into this bill--will you please address that? Where does the money come from? Is this a revolving fund?"

Ms. Hine: "Representative Struthers, the money that we have put into it is \$10 million. The effective date for that is July, 1985. It is a revolving fund that comes from the general fund."

Representatives Struthers and Hastings spoke against passage of the bill, and Representatives Van Dyken, G. Nelson and Sayan spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4404 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 10; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell,

Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Clayton, Dickie, Fuhrman, Hastings, Nealey, Padden, Smith C, Struthers, Williams J, Wilson - 10.

Excused: Representatives Bond, Long - 2.

Engrossed Substitute Senate Bill No. 4404 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 SENATE

March 8, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1268,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4490, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

March 8, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4490,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 181,

SUBSTITUTE HOUSE BILL NO. 1157,

SUBSTITUTE HOUSE BILL NO. 1268,

SUBSTITUTE SENATE BILL NO. 4490.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3942,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Heck, the House reverted to the sixth order of business.

SECOND READING

On motion of Mr. Heck, the rules were suspended and Substitute Senate Bill No. 3942 was placed at the top of the second reading calendar.

SUBSTITUTE SENATE BILL NO. 3942, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Authorizing bonds for higher education.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Braddock, as I read this, on line 7 it says '...equipping of state buildings and facilities, including heating and utility distribution systems, for the community college system and the University of Washington....' What does that mean?"

Mr. Braddock: "It means that this money will be spent for three community college projects and for the construction--what will really be the rehabilitation or remodeling--of facilities at the University of Washington. That is the addition. In addition to that we have previously approved House Bill 1195, heating and utility distribution systems improvements at Clarke College and roof repairs and other maintenance repairs, emergency maintenance repairs, at two other community colleges."

Mr. Taylor: "I'm still confused. On line 8 there's a comma after 'system,' it says 'including heating and utility distribution systems,' and then it says 'for the community college system and the University of Washington.' That doesn't seem to come together."

Mr. Braddock: "I think one could certainly argue that the comma could be taken out of there and would read smoother, but I don't believe that we are going to create significant problems if that comma remains."

Representatives Cantu and B. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3942, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Harugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Long - 2.

Substitute Senate Bill No. 3942, having received the 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 SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 392, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

March 8, 1984

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 392, modifying the hearing procedures for the formation of local improvement districts, have had the same under consideration, and we report that

we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Thompson, Granlund; Representatives Grimm, Ebersole, Hankins.

MOTION

Mr. Moon moved that the House adopt the report of the Conference Committee on Engrossed House Bill No. 392 and grant the committee powers of Free Conference.

Representatives Moon, Sayan, Hankins, Ebersole, Hine and Isaacson spoke in favor of the motion, and Representatives Van Dyken, Padden, Brough, Hastings and Addison spoke against it.

Mr. Ebersole spoke again in favor of the motion.

The motion was carried.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1201,
SECOND SUBSTITUTE HOUSE BILL NO. 1231,
SUBSTITUTE HOUSE BILL NO. 1613,
SENATE CONCURRENT RESOLUTION NO. 142,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 142.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3169, by Committee on Natural Resources (originally sponsored by Senators Goltz and Owen; by Department of Game request)

Making various housekeeping changes in the game laws.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 58th Day, March 6, 1984.)

On motion of Ms. Stratton, the House did not adopt the committee amendments.

The Clerk read the following amendment by Representatives Sanders, Wilson and Vekich:

On page 3, line 5, strike "moose."

On page 3, beginning on line 22, strike all of subsection (7) and insert "((7) The fee for a moose stamp is one hundred dollars.))"

Renumber the remaining subsections consecutively.

On page 5, after line 2, insert the following:

"NEW SECTION. Sec. 9. There is added to chapter 77.16 RCW a new section to read as follows:

(1) It is unlawful to hunt, kill, take, or possess moose. For the purposes of this section, 'moose' means the species 'Alces americana.'

(2) This section does not apply to the possession of moose lawfully obtained solely for the purposes of public exhibition or scientific research, as defined by the commission.

Sec. 10. Section 1, chapter 166, Laws of 1971 ex. sess. as amended by section 11, chapter 78, Laws of 1980 and RCW 77.08.030 are each amended to read as follows:

As used in this title or rules of the commission, 'big game' means the following species:

SCIENTIFIC NAME	COMMON NAME
Cervus canadensis	elk or wapiti
Odocoileus hemionus	blacktail deer or mule deer
Odocoileus virginianus	whitetail deer
((Alces americana	moose))

SCIENTIFIC NAME

COMMON NAME

Oreamnos americanus	mountain goat
Rangifer caribou	caribou
Ovis canadensis	mountain sheep
Antilocapra americana	pronghorn antelope
Felis concolor	cougar or mountain lion
Euarctos americana	black bear
Ursus horribilis	grizzly bear

Sec. 11. Section 77.16.240, chapter 36, Laws of 1955 as last amended by section 1, chapter 31, Laws of 1982 and RCW 77.21.010 are each amended to read as follows:

(1) A person violating RCW 77.16.040, 77.16.050, 77.16.060, 77.16.080, 77.16.210, 77.16.220, 77.16.310, 77.16.320, section 9 of this 1984 act, or 77.32.211, or committing a violation of RCW 77.16.020 or 77.16.120 involving big game or an endangered species is guilty of a gross misdemeanor and shall be punished by a fine of not less than two hundred fifty dollars and not more than one thousand dollars or by imprisonment in the county jail for not less than thirty days and not more than one year or by both the fine and imprisonment. Each subsequent violation within a five-year period of RCW 77.16.040, 77.16.050, ~~(or) 77.16.060~~, or section 9 of this 1984 act, or of RCW 77.16.020 or 77.16.120 involving big game or an endangered species, as defined by the Washington state game commission under the authority of RCW 77.04.090, shall be prosecuted and punished as a class C felony as defined in RCW 9A.20.020. In connection with each such felony prosecution, the director shall provide the court with an inventory of all articles or devices seized under this title in connection with the violation. Inventoried articles or devices shall be disposed of pursuant to RCW 77.21.040.

(2) A person violating or failing to comply with this title or a rule of the commission for which no penalty is otherwise provided is guilty of a misdemeanor and shall be punished for each offense by a fine of not less than twenty-five dollars or by imprisonment for not more than ninety days in the county jail or by both the fine and imprisonment.

(3) Persons convicted of a violation shall pay the costs of prosecution and the penalty assessment in addition to the fine or imprisonment.

(4) The unlawful killing, taking, or possession of each wildlife member constitutes a separate offense.

(5) District courts have jurisdiction concurrent with the superior courts of misdemeanors and gross misdemeanors committed in violation of this title or rules of the commission and may impose the punishment provided for these offenses. Superior courts have jurisdiction over felonies committed in violation of this title.

Sec. 12. Section 8, chapter 310, Laws of 1981 and RCW 77.32.320 are each amended to read as follows:

(1) A separate transport tag is required to hunt deer, elk, bear, cougar, sheep, mountain goat, or wild turkey.

(2) A transport tag may only be obtained subsequent to the purchase of a valid hunting license and must have permanently affixed to it the hunting license number and the supplemental stamp appropriate for the species being hunted.

(3) Persons who kill deer, elk, bear, cougar, mountain goat, sheep, ~~((moose;))~~ or wild turkey shall immediately validate and attach their own transport tag to the carcass as provided by rule of the commission.

(4) Transport tags required by this section expire on March 31st following the date of issuance."

With the consent of the House, Mr. Sanders withdrew the amendment.

POINT OF PERSONAL PRIVILEGE

Mr. Sanders: "I would like to explain to the body that we probably have the votes for the last amendment, but I'd like to explain to the body that I received commitments from the Department of Game to study the issue of hunting moose in this state. There are only fifty of them and they have agreed to study the rest of the state to locate additional habitats for additional moose. They have also agreed tentatively, without the Game Commission's approval, of course, that if Representative Vekich and I do introduce a bill next year to prohibit the hunting of the fifty moose that are in this state, that they will not object to that bill. So, in the spirit of cooperation and because of the lateness of the hour, that was the reason for withdrawing the amendment."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Stratton spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Stratton yielded to question by Mr. Mitchell.

Mr. Mitchell: "Would SSB 3169 give the Director of Game the authority to establish hunting and fishing seasons?"

Ms. Stratton: "No. Only the Game Commission can establish a season. SSB 3169 would give the Game Commission authority to delegate to the Director by permanent rule, the authority to adopt emergency rules to close, shorten or reopen a season."

Mr. Mitchell: "Would this be a departure from traditional authority of the Game Director?"

Ms. Stratton: "No. Prior to a major recodification of the Game Code (Title 77 RCW) in 1980, the Director had this authority, upon written approval of the Game Commission."

Mr. Mitchell: "How would an emergency season closure be defined?"

Ms. Stratton: "This would be defined in Permanent Rules (WACS) adopted by the Game Commission. An emergency exists whenever the Director determines from biological or climatic data that a wildlife population in a particular geographical area would be jeopardized by a continuation of a season to harvest this wildlife. Wildlife is defined in statute to include game fish such as steelhead. The most common emergency closure occurs in the Boldt case area or the Columbia River when either the sport or commercial Indian harvest of steelhead reaches the fifty percent allocation and that particular fishery must be closed down."

Mr. Mitchell: "What will happen if SSB 3169 is not passed?"

Ms. Stratton: "Present procedures will continue whereby the Director must get a quorum of the Game Commission together, either in person or on a conference call, to effect an emergency closure. The present system is time consuming, costly and the delay while commissioners are being located almost always results in overharvest of steelhead before a particular stream fishery can be closed."

Mr. Wilson spoke against passage of the bill and Ms. Stratton spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3169, and the bill passed the House by the following vote: Yeas, 83; nays, 13; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dello, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schön, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Luven, Vekich, Walk, Wang, West, Williams B - 83.

Voting nay: Representatives Clayton, Hastings, Kaiser, Nealey, Prince, Schmidt, Struthers, Van Dyken, Vander Stoep, Williams J, Wilson, Zellinsky, and Mr. Speaker - 13.

Excused: Representatives Bond, Long - 2.

Engrossed Substitute Senate Bill No. 3169, having received the 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 Mr. Taylor, Rule 14(D) was suspended.

MESSAGES FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4403, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

March 8, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4403,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1190,

HOUSE BILL NO. 1194,

SUBSTITUTE SENATE BILL NO. 4403.

MOTION

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-180, by Representatives Fisch, McClure, Charnley and Egger

WHEREAS, The Washington State Legislature has been presented with petitions and legislation to create a new county to be named Olympic County, formed from western Clallam and Jefferson Counties; and

WHEREAS, The last county created in Washington State was Pend Oreille County in 1911; and

WHEREAS, The current law on the creation or enlargement of counties reflects nineteenth century concerns of distant populations separated by poor roads and communications; and

WHEREAS, Modern roads, telecommunications, and growing populations have made all citizens of the state and each county more dependent upon each other; and

WHEREAS, Recurring fiscal problems have demonstrated that many existing counties lack sufficient resources to provide adequate service levels; and

WHEREAS, As subdivisions of the state, counties provide many services of state government which are of significant, statewide concern;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Local Government Committee study and evaluate the need to develop constitutional and statutory changes relating to creating new counties, adjusting county boundaries, and consolidating counties, including specific requirements relating to the petition process, assessment of financial resources and obligations, and to determine if the citizens of the preexisting county or counties should vote upon the issue of dividing the county; and

BE IT FURTHER RESOLVED, That the Local Government Committee shall report to the 1985 Regular Session of the Legislature, in the form of legislation prepared for introduction.

On motion of Mr. Fisch, the resolution was adopted.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4381, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 8, 1984

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4381, revising various election laws, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. The purpose of sections 2 through 8 of this act is to provide an orderly and predictable election procedure for filling vacancies in the offices of United States representative and United States senator from this state or any congressional district of this state.

Sec. 2. Section 2, chapter 4, Laws of 1973 as last amended by section 4, chapter 144, Laws of 1977 ex. sess. and RCW 29.13.047 are each amended to read as follows:

(1) Whenever state officers or measures are voted upon at a state primary or general election held in an odd-numbered year (~~as provided for in~~) under RCW 29.13.010, the state of Washington shall assume ~~(the)~~ a prorated share of ~~(such election)~~ the costs of that state primary or general election.

(2) Whenever a primary or vacancy election is held under chapter 29.68 RCW to fill a vacancy in the position of United States senator or United States representative, the state of Washington shall assume a prorated share of the costs of that primary or vacancy election.

(3) The county auditor shall apportion the state's share of ~~(such)~~ these expenses when prorating election costs ~~(as provided)~~ under RCW ~~(29.04.020 and)~~ 29.13.045 and shall file such expense claims with the secretary of state.

(4) The secretary of state shall include in his or her biennial budget requests ~~(a provision for)~~ sufficient funds to carry out ~~(the provisions of)~~ this section. ~~(Payments hereunder)~~ Reimbursements for election costs shall be from appropriations specifically provided for such purpose by law.

Sec. 3. Section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070 are each amended to read as follows:

(1) When a vacancy ~~(happens)~~ occurs in the representation of this state in the senate of the United States, the governor shall make a temporary appointment to that office until the people fill the vacancy by election ~~(at the next ensuing general state election)~~ as provided in this chapter. The person appointed to fill the vacancy must be from the same political party as the person whose office has been vacated and shall be one of three persons nominated for the appointment by the governing body of the Washington state organization of that political party, as defined in subsection (2) of this section. The governing body shall submit its list of three nominees to the governor within thirty days of the date the vacancy occurs. If the governing body fails to submit its list of nominees to the governor within the prescribed period, the governor may appoint any person from the same political party as the person whose office has been vacated.

(2) For the purposes of this section, the 'governing body' of a political party means the body that is authorized by the charter or bylaws of the political party to exercise authority on behalf of the party.

Sec. 4. Section 29.68.080, chapter 9, Laws of 1965 as amended by section 3, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.080 are each amended to read as follows:

(1) Whenever ~~(there is)~~ a vacancy ~~(existing by death, resignation, disability or failure to qualify or impending vacancy)~~ occurs in the office of United States representative ~~(in the congress of the United States)~~ or United States senator from this state or any congressional district ~~(in)~~ of this state, the governor shall order a special election to fill the vacancy.

(2) Within ten days of such vacancy occurring, he or she shall ~~(fix as the)~~ issue a writ of election fixing a date for the special vacancy election ~~(a day)~~ not less than ninety days after the issuance of the writ ~~(He shall fix as the)~~, fixing a date for the primary for nominating candidates for the special vacancy election ~~(a day)~~ not less than thirty days before the day fixed for holding the special vacancy election, fixing the dates for the special filing period, and designating the term or part of the term for which the vacancy exists. If the vacancy is in the office

of United States representative, the writ of election shall specify the congressional district that is vacant.

(3) If the vacancy occurs (~~between or on a date~~) less than six months (~~prior to~~) before a state general (~~state~~) election and before the second Friday following the close of the filing period for that general election, the special primary and special (~~general~~) vacancy elections shall be held in concert with the (~~regular~~) state primary and (~~regular~~) state general election(s) in that year.

(4) If the vacancy occurs on or after the first day for filing (~~specified in~~) under RCW 29.18.030 and on or before the second Friday following the close of the filing period, a special filing period of three normal business days shall be fixed by the (~~secretary of state~~) governor and notice thereof given (~~by notifying~~) to all media, including press, radio, and television within the (~~congressional district concerned~~) area in which the vacancy election is to be held, to the end that, insofar as possible, all interested persons will be aware of such filing period (~~PROVIDED, HOWEVER, THAT~~). The last day of (~~such~~) the filing period shall not be (~~no~~) later than the third Tuesday (~~prior to~~) before the primary (~~election concerned~~) at which candidates are to be nominated. The names of candidates who have filed valid declarations of candidacy (~~validly filed within said~~) during this three-day period shall appear on the approaching primary ballot (~~as if made during the earlier filing period~~).

(5) If the vacancy (~~should~~) occurs later than the second Friday following the close of the filing period, a special primary and special (~~general~~) vacancy election to fill (~~such vacancy~~) the position shall be held after the (~~regular annual~~) next state general election but, in any event, no later than the ninetieth day following the (~~said~~) November election.

(6) As used in this chapter, 'county' means, in the case of a vacancy in the office of United States senator, any or all of the counties in the state and, in the case of a vacancy in the office of United States representative, only those counties wholly or partly within the congressional district in which the vacancy has occurred.

Sec. 5. Section 29.68.100, chapter 9, Laws of 1965 as amended by section 5, chapter 36, Laws of 1973 2d ex. sess. and RCW 29.68.100 are each amended to read as follows:

(~~Upon~~) After calling a special primary and special vacancy election to fill a vacancy (~~or impending vacancy~~) in the office of United States representative (~~in the congress of the United States~~) or United States senator from this state, the governor shall immediately notify the secretary of state who shall, in turn, immediately notify (~~each~~) the county auditor of each county wholly or partly within (~~the district in~~) which the vacancy exists (~~or is about to exist~~).

Each county auditor (~~in the district~~) shall publish notices of the special primary and (~~of~~) the special vacancy election at least once in any legal newspaper published in the county, as provided by RCW 29.27.030 and 29.27.080 respectively.

Sec. 6. Section 29.68.120, chapter 9, Laws of 1965 as last amended by section 46, chapter 3, Laws of 1983 and RCW 29.68.120 are each amended to read as follows:

(1) The canvass of the votes cast at a special primary (~~held in relation to a special election~~) for a United States (~~congressman~~) representative or senator shall be (~~made~~) completed in each county (~~within the district~~) within ten days after the primary (~~and~~). The returns (~~sent~~) shall be transmitted immediately to the secretary of state, who shall certify (~~said~~) the returns in the (~~same~~) manner (~~as~~) provided by RCW 29.62.100 (~~and~~). As soon as possible (~~thereafter~~) after the canvass, the secretary of state shall certify the names of the (~~successful~~) nominees to the county auditors (~~of the counties within the district~~).

(2) The canvass of the votes cast at a special vacancy election for a United States representative or senator shall be completed in each county within fifteen days after the vacancy election. The returns shall be transmitted immediately to the secretary of state, who shall certify the returns in the manner provided in RCW 29.62.120.

Sec. 7. Section 29.68.130, chapter 9, Laws of 1965 and RCW 29.68.130 are each amended to read as follows:

The general election laws and laws relating to partisan primaries shall apply to the special primaries and vacancy elections provided for in RCW 29.68.080 through 29.68.120 (~~in so far as~~) to the extent that they are not inconsistent (~~therewith, and shall be construed with and as a part thereof for the purpose of carrying out the spirit and intent thereof~~) with the provisions of these sections. Statutory time deadlines relating to availability of absentee ballots, certification, canvassing, and related procedures that cannot be met in a timely fashion may be modified for the purposes of a specific primary or vacancy election under this chapter by the secretary of state through emergency rules adopted under RCW 29.04.080.

Sec. 8. Section 29.80.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 54, Laws of 1984 and RCW 29.80.010 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, as soon as possible before each even-year state general election at which federal or state officials are to be elected or any special vacancy election held under chapter 29.68 RCW, the secretary of state shall publish and mail to each individual place of residence (~~of~~) in the state a candidates' pamphlet containing photographs and campaign statements of (~~eligible~~) nominees for federal or state office who desire to participate (~~therein~~) in this publication, together with a campaign mailing address and telephone number submitted by the nominee at the nominee's option (~~and~~).

In even-numbered years (~~(containing)~~), a description of the office of precinct committeeman and its duties (~~(in order)~~) shall be included so that voters will understand (~~(that the office is a state)~~) the importance of this office and will be (~~(found)~~) aware that it will appear on the ballot (~~(of)~~) at the forthcoming general election. In odd-numbered years (~~(no)~~), a candidates' pamphlet may be published (~~(unless)~~) only if an election is to be held to fill a vacancy in (~~(one or more of the following)~~) a federal or state-wide elective office (~~(s: United States senator, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, superintendent of public instruction, commissioner of public lands, insurance commissioner, or justice of the supreme court)~~).

(2) If a candidates' pamphlet is published solely for a special vacancy election for filling the office of United States representative, the secretary of state shall mail the pamphlet to each individual place of residence in the congressional district in which the special vacancy election is to be conducted.

Sec. 9. Section 28A.57.322, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.322 are each amended to read as follows:

Every person elected or appointed to the office of school director, before entering upon the discharge of the duties thereof, shall take an oath or affirmation to support the Constitution of the United States and the state of Washington and to faithfully discharge the duties of his office according to the best of his ability. In case any official has a written appointment or commission, his oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officials are hereby authorized to administer all oaths or affirmations pertaining to their respective offices without charge or fee. All oaths of office, when properly made, shall be filed with the (~~(officer with whom declarations of candidacy for such positions are filed)~~) county auditor.

Sec. 10. Section 3, chapter 107, Laws of 1980 and RCW 29.04.040 are each amended to read as follows:

(1) No paper ballot precinct shall contain more than three hundred voters. The county legislative authority may divide, alter, or combine precincts so that, whenever practicable, over populated precincts shall contain no more than two hundred fifty registered voters in anticipation of future growth.

(2) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored: PROVIDED, (~~(HOWEVER:)~~) That, except as permitted under subsection (5) of this section, no precinct boundaries shall be changed during the period starting as of the thirtieth day prior to the first day for candidates to file for the primary election and ending with the day of the general election.

(3) Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred registered voters: PROVIDED, That there shall be at least one voting machine or device for each three hundred registered voters or major fraction thereof when a state primary or general election is held in an even-numbered year.

(4) On petition of twenty-five or more voters resident more than ten miles from any place of election, the county legislative authority shall establish a separate voting precinct therefor.

(5) The county auditor shall temporarily adjust precinct boundaries when a city annexes county territory to the city. The adjustment shall be made as soon as possible after the approval of the annexation. The temporary adjustment shall be limited to the minimum changes necessary to accommodate the addition of the territory to the city and shall remain in effect only until precinct boundary modifications reflecting the annexation are adopted by the county legislative authority.

The county legislative authority of each county in the state hereafter formed shall, at their first session, divide their respective counties into election precincts with two hundred fifty voters or less and establish the boundaries of the same; the county auditor shall thereupon designate the voting place for each such precinct.

Sec. 11. Section 29.04.055, chapter 9, Laws of 1965 as last amended by section 5, chapter 361, Laws of 1977 ex. sess. and RCW 29.04.055 are each amended to read as follows:

At any election, general or special, or at any primary, the election authority may combine, unite, or divide precincts and may combine or unite boards of election officials for the purpose of holding such election (~~(: PROVIDED, That in the event such election shall be held upon the day of any state primary or state general election held in an even-numbered year this section shall not apply)~~).

NEW SECTION. Sec. 12. There is added to chapter 9, Laws of 1965 and to chapter 29.07 RCW a new section to read as follows:

After the closing of registration for voting at the polls under RCW 29.07.160, but not later than fifteen days preceding any primary, special election, or general election, unregistered qualified electors may register in person in the office of the county auditor or with any voter registrar of the county in which they reside, and apply for an absentee ballot for that primary or election. The auditor or voter registrar shall register that individual in the manner provided in this chapter. The application for an absentee ballot executed by the newly registered voter for the primary or election that follows the execution of the registration shall be transmitted to the auditor with the completed voter registration form.

Sec. 13. Section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 3, Laws of 1980 and RCW 29.07.160 are each amended to read as follows:

The registration files of all precincts shall be closed against original registration or transfers for thirty days immediately preceding every primary, special election, and general election ~~((and primary))~~ to be held in such precincts. ~~((respectively))~~.

The county auditor shall give notice of the closing of ~~((said))~~ the precinct files for original registration and transfer and of the procedures for late registration and absentee ballots under section 12 of this act by one publication in a newspaper of general circulation in the county at least five days before such closing ~~((except as provided for special elections in accordance with section 3 of this 1980 act))~~.

No person may vote at any primary, special election, or general election in any precinct polling place unless he or she has registered to vote at least thirty days prior to that primary or election. If a person, otherwise qualified to vote in the state, county, and precinct in which he or she applies for registration, does not register at least thirty days preceding any primary, special election, or general election, he or she may register and vote by absentee ballot for that primary or election under section 12 of this act.

Sec. 14. Section 29.21.060, chapter 9, Laws of 1965 as last amended by section 31, chapter 361, Laws of 1977 ex. sess. and RCW 29.21.060 are each amended to read as follows:

All candidates for offices to be voted on at any election in first, second, and third class cities and fourth class municipalities (towns) shall file declarations of candidacy with the county auditor not earlier than the ~~((last))~~ fourth Monday of July nor later than the next succeeding Friday in the year such regular city elections are held.

All candidates for district offices subject to the provisions of RCW 29.21.010 ~~((as now or hereafter amended;))~~ shall file their declarations of candidacy with the county auditor of the county not earlier than the ~~((last))~~ fourth Monday of July nor later than the next succeeding Friday in the year such regular district elections are held: PROVIDED, That this chapter shall not change the method of nomination for first district officers at the formation of any district.

Any candidate for city, town, or district offices may withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy.

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030 through 29.18.100: PROVIDED, That no filing fee shall be charged in the event that the office sought is without a fixed annual salary.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections, the purpose of this section being to establish a uniform five day period throughout the state of Washington for filing declarations of candidacy.

Sec. 15. Section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060 are each amended to read as follows:

When a proposed constitution or constitutional amendment or other question is to be submitted to the people of the state for state-wide popular vote, the attorney general shall prepare a concise statement posed as a question and not exceeding ~~((twenty))~~ fifty words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon.

Questions to be submitted to the people of a county or municipality shall also be advertised as provided for nominees for office, and in such cases there shall also be printed on the ballot a concise statement posed as a question and not exceeding ~~((twenty words or))~~ seventy-five words ~~((in the case of a school district tax proposition;))~~ containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon, which statement shall be prepared by the city attorney for the city, and by the prosecuting attorney for the county or any other political subdivision of the state, other than cities, situated in the county.

Such concise statement shall constitute the ballot title. The secretary of state shall certify to the county auditors the ballot title for a proposed constitution, constitutional amendment, or other state-wide question at the same time and in the same manner as the ballot titles to initiatives and referendums.

Sec. 16. Section 35.23.190, chapter 7, Laws of 1965 and RCW 35.23.190 are each amended to read as follows:

Before entering upon his duties and within ten days after receiving notice of his election or appointment every officer of the city shall qualify by taking the oath of office and by filing such bond duly approved as may be required of him. The oath of office shall be filed with the county auditor. If no notice of election or appointment was received, the officer must qualify on or before the date fixed for the assumption by him of the duties of the office to which he was elected or appointed. The city council shall fix the amount of all official bonds and may designate what officers shall be required to give bonds in addition to those required to do so by statute.

The clerk, treasurer, city attorney, chief of police, police judge, and street commissioner shall each execute an official bond in such penal sum as the city council by ordinance may determine, conditioned for the faithful performance of their duties, including in the same bond the duties of all offices of which he is the ex officio incumbent.

All official bonds shall be approved by the city council and when so approved shall be filed with the city clerk except the city clerk's which shall be filed with the mayor. No city officer shall be eligible as a surety upon any bond running to the city as obligee.

The city council may require a new or additional bond of any officer whenever it deems it expedient.

Sec. 17. Section 35.24.080, chapter 7, Laws of 1965 and RCW 35.24.080 are each amended to read as follows:

In a city of the third class, the treasurer, city attorney, clerk, police judge, chief of police, and such other officers as the council may require shall each, before entering upon the duties of his office, take an oath of office and execute and file with the clerk an official bond in such penal sum as the council shall determine, conditioned for the faithful performance of his duties and otherwise conditioned as may be provided by ordinance. The oath of office shall be filed with the county auditor.

Sec. 18. Section 35.27.120, chapter 7, Laws of 1965 and RCW 35.27.120 are each amended to read as follows:

Every officer of a town before entering upon the duties of his office shall take and file with the ~~((town clerk))~~ county auditor his oath of office. The clerk, treasurer, and marshal before entering upon their respective duties shall also each execute a bond approved by the council in such penal sum as the council by ordinance may determine, conditioned for the faithful performance of his duties including in the same bond the duties of all offices of which he is made ex officio incumbent.

All bonds, when approved, shall be filed with the town clerk, except the bonds of the clerk which shall be filed with the mayor.

Sec. 19. Section 35A.12.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.080 are each amended to read as follows:

Any officer before entering upon the performance of his duties may be required to take an oath or affirmation as prescribed by charter or by ordinance for the faithful performance of his duties. The oath or affirmation shall be filed with the county auditor. The clerk, treasurer, if any, chief of police, and such other officers or employees as may be designated by ordinance or by charter shall be required to furnish annually an official bond conditioned on the honest and faithful performance of their official duties. The terms and penalty of official bonds and the surety therefor shall be prescribed by ordinance or charter, and the bond shall be approved by the chief administrative officer of the city. The premiums on such bonds shall be paid by the city. When the furnishing of an official bond is required of an officer or employee, compliance with such provisions shall be an essential part of qualification for office.

Sec. 20. Section 29, chapter 34, Laws of 1939 and RCW 52.12.070 are each amended to read as follows:

Each fire commissioner before beginning the duties of his office shall take and subscribe an official oath for the faithful discharge of the duties of his office, which oath shall be filed in the office of the ~~((clerk of the superior court in))~~ auditor of the county where the district is situated.

Sec. 21. Section 8, chapter 17, Laws of 1959 as last amended by section 1, chapter 11, Laws of 1983 and RCW 53.12.150 are each amended to read as follows:

A vacancy in the office of port commissioner created by death, resignation, or otherwise, shall be filled as follows:

(1) If there are simultaneously such number of vacancies that less than a majority of the full number of commissioners fixed by law remain in office, the legislative authority of the county shall within fifteen days of such vacancies appoint the number of commissioners necessary to provide a majority. The commissioners thus appointed, together with any remaining commissioners, shall then, within ~~((fifteen))~~ sixty days of their appointment, meet and appoint the number of commissioners needed to complete the board of commissioners. However, if they fail to fill the remaining vacancies within this ~~((fifteen))~~ sixty-day period, the legislative authority of the county shall make the necessary appointments.

(2) If a majority of the full number of commissioners fixed by law remains on the board, the remaining commissioners shall fill any vacancies. However, if they fail to fill any vacancy within ~~((fifteen))~~ sixty days of its occurrence, ~~((or within fifteen days after March 10, 1983;))~~ the legislative authority of the county shall make the necessary appointment.

(3) ~~((Appointments made pursuant to this section shall be ad interim to the next general election.))~~ A person appointed to fill a vacancy in the office of port commissioner shall continue to serve until a successor is elected and qualified.

Sec. 22. Section 10, chapter 265, Laws of 1959 and RCW 54.12.100 are each amended to read as follows:

Each commissioner before he enters upon the duties of his office shall take and subscribe an oath or affirmation that he will faithfully and impartially discharge the duties of his office to

the best of his ability. This oath, or affirmation, shall be administered and certified by an officer of the county in which the district is situated, who is authorized to administer oaths, without charge therefor. The oath or affirmation shall be filed with the county auditor.

Sec. 23. Section 18, chapter 6, Laws of 1947 and RCW 68.16.180 are each amended to read as follows:

Each cemetery commissioner, before assuming the duties of his office, shall take and subscribe an official oath to faithfully discharge the duties of his office, which oath shall be filed in the office of the county ((clerk)) auditor.

NEW SECTION. Sec. 24. The following acts or parts of acts are each repealed:

- (1) Section 95, chapter 361, Laws of 1977 ex. sess. and RCW 29.54.180;
- (2) Section 29.68.090, chapter 9, Laws of 1965, section 4, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.090; and
- (3) Section 29.68.110, chapter 9, Laws of 1965, section 6, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.110.

NEW SECTION. Sec. 25. 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, after "elections;" strike the remainder of the title and insert "amending section 2, chapter 4, Laws of 1973 as last amended by section 4, chapter 144, Laws of 1977 ex. sess. and RCW 29.13.047; amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070; amending section 29.68.080, chapter 9, Laws of 1965 as amended by section 3, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.080; amending section 29.68.100, chapter 9, Laws of 1965 as amended by section 5, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.100; amending section 29.68.120, chapter 9, Laws of 1965 as last amended by section 46, chapter 3, Laws of 1983 and RCW 29.68.120; amending section 29.68.130, chapter 9, Laws of 1965 and RCW 29.68.130; amending section 29.80.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 54, Laws of 1984 and RCW 29.80.010; amending section 28A.57.322, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.322; amending section 3, chapter 107, Laws of 1980 and RCW 29.04.040; amending section 29.04.055, chapter 9, Laws of 1965 as last amended by section 5, chapter 361, Laws of 1977 ex. sess. and RCW 29.04.055; amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 3, Laws of 1980 and RCW 29.07.160; amending section 29.21.060, chapter 9, Laws of 1965 as last amended by section 31, chapter 361, Laws of 1977 ex. sess. and RCW 29.21.060; amending section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060; amending section 35.23.190, chapter 7, Laws of 1965 and RCW 35.23.190; amending section 35.24.080, chapter 7, Laws of 1965 and RCW 35.24.080; amending section 35.27.120, chapter 7, Laws of 1965 and RCW 35.27.120; amending section 35A.12.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.080; amending section 29, chapter 34, Laws of 1939 and RCW 52.12.070; amending section 8, chapter 17, Laws of 1959 as last amended by section 1, chapter 11, Laws of 1983 and RCW 53.12.150; amending section 10, chapter 265, Laws of 1959 and RCW 54.12.100; amending section 18, chapter 6, Laws of 1947 and RCW 68.16.180; adding a new section to chapter 9, Laws of 1965 and to chapter 29.07 RCW; creating a new section; repealing section 95, chapter 361, Laws of 1977 ex. sess. and RCW 29.54.180; repealing section 29.68.090, chapter 9, Laws of 1965, section 4, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.090; and repealing section 29.68.110, chapter 9, Laws of 1965, section 6, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.68.110."

Signed by Senators Talmadge, Fleming; Representatives Pruitt, Fisher.

MOTION

Mr. Pruitt moved that the House adopt the report of the Free Conference Committee on Substitute Senate Bill No. 4381.

Mr. Pruitt spoke in favor of the motion and Mr. Tilly spoke against it.

The motion was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Substitute Senate Bill No. 4381 as amended by Free Conference Committee.

Representatives Barnes and Nealey spoke against passage of the bill, and Mr. Pruitt spoke in favor of it.

Mr. Barnes again opposed the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4381 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, Williams B, Williams J, Wilson - 41.

Excused: Representatives Bond, Long - 2.

Substitute Senate Bill No. 4381 as amended by 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.

Representative Bond appeared at the bar of the House.

MESSAGES FROM THE SENATE

March 8, 1984

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 181,
SUBSTITUTE HOUSE BILL NO. 1157,
SUBSTITUTE HOUSE BILL NO. 1268,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1984

Mr. Speaker:

The Senate concurred in the House amendment to SENATE CONCURRENT RESOLUTION NO. 149, and passed the resolution as amended by the House.

Bill Gleason, Assistant Secretary.

March 8, 1984

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4404, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 392, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 392, modifying the hearing procedures for the formation of local improvement districts, have had the same under consideration, and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.43.140, chapter 7, Laws of 1965 and RCW 35.43.140 are each amended to read as follows:

Any local improvement to be paid for in whole or in part by the levy and collection of assessments upon the property within the proposed improvement district may be initiated by a resolution of the city or town council or other legislative authority of the city or town, declaring

its intention to order the improvement, setting forth the nature and territorial extent of the improvement and notifying all persons who may desire to object thereto to appear and present their objections at a time to be fixed therein.

In the case of trunk sewers and trunk water mains the resolution must describe the routes along which the trunk sewer, subsewer and branches of trunk water main and laterals are to be constructed.

In case of dikes or other structures to protect the city or town or any part thereof from overflow or to open, deepen, straighten, or enlarge watercourses, waterways and other channels the resolution must set forth the place of commencement and ending thereof and the route to be used.

In the case of auxiliary water systems, or extensions thereof or additions thereto for protection of the city or town or any part thereof from fire, the resolution must set forth the routes along which the auxiliary water system or extensions thereof or additions thereto are to be constructed and specifications of the structures or works necessary thereto or forming a part thereof.

The resolution shall be published in at least two consecutive issues of the official newspaper of the city or town, or if there is no official newspaper, in any legal newspaper of general circulation therein; the first publication to be at least fifteen days before the day fixed for the hearing.

The hearing herein required may be held before the city or town council, or other legislative authority, or before a committee thereof. ~~((if the hearing is before a committee, the committee shall following the hearing report its recommendation on the resolution to the city council or other legislative authority for final action.))~~ The legislative authority of a city having a population of fifteen thousand or more may designate an officer to conduct the hearings. The committee or hearing officer shall report recommendations on the resolution to the legislative authority for final action.

Sec. 2. Section 35A.05.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.040 are each amended to read as follows:

When a sufficient petition, as determined by the rules set forth in RCW 35A.01.040, is filed with the legislative body of each of such contiguous municipal corporations, signed by electors of each such corporation in number equal to not less than ten percent of the votes cast at the last general municipal election therein, seeking consolidation of such contiguous municipal corporations as a noncharter code city under one of the plans of government authorized by this title, naming such plan and setting forth a name for the proposed consolidated city, the legislative body of the municipal corporation in which the largest number of inhabitants reside (hereinafter called principal legislative body) shall cause to be submitted to the electors of each of such corporations, at the next general municipal election, if one is to be held within one hundred and eighty days, or at a special election to be called for that purpose not less than ~~((ninety))~~ sixty nor more than ~~((one))~~ two hundred and ~~((eighty))~~ twenty days after the filing of the petition, the question whether such corporation shall become consolidated as a non-charter code city under the plan of government proposed in the petition.

NEW SECTION. Sec. 3. There is added to chapter 35.21 RCW a new section to read as follows:

Any city or town may acquire title to or any interest in real and personal property for the purpose of historic preservation and may restore, improve, maintain, manage, and lease the property for public or private use and may enter into contracts, borrow money, and issue bonds and other obligations for such purposes. This authorization shall not expand the eminent domain powers of cities or towns.

NEW SECTION. Sec. 4. There is added to chapter 36.32 RCW a new section to read as follows:

Any county may acquire title to or any interest in real and personal property for the purpose of historic preservation and may restore, improve, maintain, manage, and lease the property for public or private use and may enter into contracts, borrow money, and issue bonds and other obligations for such purposes. This authorization shall not expand the eminent domain powers of counties.

NEW SECTION. Sec. 5. There is added to chapter 42.24 RCW a new section to read as follows:

(1) Any municipal corporation or political subdivision may provide for the issuance of charge cards to officers and employees for the sole purpose of covering expenses incident to authorized travel.

(2) Upon billing or no later than ten days of the billing date, the officer or employee using a charge card issued under this section shall submit a fully itemized travel expense voucher. Any charges against the charge card not properly identified on the travel expense voucher or not allowed following the audit required under RCW 42.24.080 shall be paid by the official or employee by check, United States currency, or salary deduction.

(3) If, for any reason, disallowed charges are not repaid before the charge card billing is due and payable, the municipal corporation or political subdivision shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the official

or employee up to an amount of the disallowed charges and interest at the same rate as charged by the company which issued the charge card. Any official or employee who has been issued a charge card by a municipal corporation or political subdivision shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the auditing officer. The municipal corporation or political subdivision shall have unlimited authority to revoke use of any charge card issued under this section, and, upon such revocation order being delivered to the charge card company, shall not be liable for any costs.

NEW SECTION. Sec. 6. There is added to chapter 36.32 RCW a new section to read as follows:

The legislative authority of any county may by resolution propose the establishment of one or more ad hoc community councils within the unincorporated area of the county. In adopting such resolution, the county legislative authority shall consider the extent to which the residents of the area encompassed by the proposed ad hoc community council share common concerns regarding land use decisions as a result of geographical location, terrain, pattern of development, and other features which make the area distinctive as a community. No ad hoc community council may be formed that has less than one hundred registered voters residing within its boundaries. Ad hoc community councils shall only have advisory capacities.

NEW SECTION. Sec. 7. There is added to chapter 36.32 RCW a new section to read as follows:

Upon the adoption of a resolution under section 6 of this act, the legislative authority of a county shall hold a hearing on the establishment of the ad hoc community council. The legislative authority of the county shall consider the establishment of the ad hoc community council at the hearing held under this section. All persons appearing at the meeting shall have an opportunity to be heard and to voice protests. The hearing may be continued from time to time, but the total number of days from the first day of the hearings to the final day shall not exceed sixty days.

If, after hearing public testimony on the issue, the legislative authority of the county determines that the welfare of the residents of the area encompassed by the proposed ad hoc community council will be served by the establishment of the council, it shall declare such to be its finding. Upon this determination, the county legislative authority may adopt an ordinance creating the ad hoc community council, setting its boundaries, establishing its duration, establishing any limitations on the subjects about which the council may make recommendations, and providing for the selection of the council members who may be directly appointed by the county legislative authority.

NEW SECTION. Sec. 8. Territory may be withdrawn from a public hospital district as provided by this section. The commissioners of a public hospital district may hold a hearing on the proposed removal of territory from the district whenever a petition requesting the withdrawal of such territory has been signed by at least one hundred registered voters residing in the territory proposed to be withdrawn. The petition shall describe by metes and bounds the territory proposed to be withdrawn and shall be filed with the auditor of the county within which the public hospital district is located. The auditor shall examine the signatures, determine their sufficiency, and certify the sufficiency to the district.

If the auditor certifies the sufficiency of the signatures, the public hospital district commissioners shall hold a public hearing on the proposed withdrawal of territory from the district. Upon the conclusion of the public hearing, the commissioners may provide for the withdrawal of this territory by adopting a resolution by unanimous action finding that this withdrawal is in the public interest and declaring such territory to be withdrawn. Withdrawal of the territory shall be effective at the time and date as provided in the resolution. The property so withdrawn from a public hospital district shall remain liable for any general indebtedness of the district in existence at the time of the withdrawal.

The commissioners shall immediately notify the county legislative authority and auditor of the county within which the district is located of such action. The auditor shall immediately take cognizance of the altered boundaries of the public hospital district for election purposes.

Costs of altering precinct boundaries and voter registration shall be included in the cost of the election allocated under RCW 29.13.045.

The method of withdrawing territory from a public hospital district provided for in this section shall be in addition to any other method of withdrawing territory.

This section shall expire three months after the effective date of this act.

Sec. 9. Section 84.09.030, chapter 15, Laws of 1961 as amended by section 4, chapter 26, Laws of 1981 and RCW 84.09.030 are each amended to read as follows:

For the purposes of property taxation and the levy of property taxes the boundaries of counties, cities and all other taxing districts shall be the established official boundaries of such districts existing on the first day of March of the year in which the levy is made, and no such levy shall be made for any taxing district whose boundaries were not duly established on the first day of March of such year: PROVIDED, That for the year 1981 only the boundaries of library districts shall be the established official boundaries existing on the first day of October: PROVIDED FURTHER, That for the year 1984 only, boundaries of public hospital districts shall be the

established official boundaries existing on the first day of April. In any case where any instrument setting forth the official boundaries of any newly established taxing district, or setting forth any change in such boundaries, is required by law to be filed in the office of the county auditor or other county official, said instrument shall be filed in triplicate. The officer with whom such instrument is filed shall transmit two copies to the county assessor.

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."

On page 1, line 1 of the title, after "government," strike the remainder of the title and insert "amending section 35.43.140, chapter 7, Laws of 1965 and RCW 35.43.140; amending section 35A.05.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.040; amending section 84.09-.030, chapter 15, Laws of 1961 as amended by section 4, chapter 26, Laws of 1981 and RCW 84.09.030; adding a new section to chapter 35.21 RCW; adding new sections to chapter 36.32 RCW; adding a new section to chapter 42.24 RCW; creating a new section; and declaring an emergency."

Signed by Senators Thompson, Granlund; Representatives Grimm, Ebersole, Hankins.

MOTION

On motion of Mr. Moon, the House adopted the report of the Free Conference Committee on Engrossed House Bill No. 392.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 392 as amended by Free Conference Committee.

POINT OF ORDER

Mr. Padden: "Mr. Speaker, doesn't it take a necessary two-thirds vote to suspend the rules to consider this on final passage since it has not been before us the required length of time?"

The Speaker: "This bill has been here for a long period of time."

Representatives Van Dyken and Brough spoke against passage of the bill.

POINT OF INQUIRY

Mr. Hastings asked Mr. Ebersole to yield to question and Mr. Ebersole refused to yield.

Mr. Hastings asked Ms. Hine to yield to question and Ms. Hine refused to yield.

Mr. Van Dyken yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Van Dyken, new section 5 deals with municipal corporations having credit cards. The last part of subsection (3) states: 'The municipal corporation or political subdivision shall have unlimited authority to revoke use of any charge card issued under this section, and, upon such revocation order being delivered to the charge card company, shall not be liable for any costs.' What is the timing on that? Could there possibly be a time where there could be an abuse of a card or a stolen card, the revocation order be in the mail, and the credit card company be stuck with some outstanding bills?"

Mr. Van Dyken: "Representative Hastings, I would have hoped that this would have been something we could have pursued in hearings, but, as you know, this particular bill never came before the House. It was explored in the other body. Not being a member of that other body, I don't know if they addressed this particular question or not. It would seem that the language is, at best, ambiguous and based on the information that we have, the lack of testimony thereon, the lack of detailed exploration of the issue, I can't give you a qualified answer at this time. It does not appear that those who were involved in drafting this particular legislation and placing it here before this body at this hour are willing to give an answer to that."

Mr. Hastings opposed passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 392 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 58; nays, 39; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Scott, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Waik, Wang, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Lewis, Miller, Mitchell, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Struthers, Taylor, Tilly, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 39.

Excused: Representative Long - 1.

Engrossed House Bill No. 392 as amended by 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 SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION HOUSE BILL NO. 1246, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1246, providing programs for educational excellence, have had the same under consideration, and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 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:

Each school district board of directors is encouraged to revise its goal-setting process and to begin immediately to establish an annual process of identifying measurable goals which concentrate on improving educational excellence in the district. This process of identifying goals should involve teachers, administrators, school directors, students, parents, business persons, and other community members. The annual goals and recognition of accomplishments should be reported by the school district to the community each year.

NEW SECTION, Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW a new section to read as follows:

School district boards of directors shall identify and offer courses with content that meet or exceed: (1) The basic education skills identified in RCW 28A.58.752; (2) the graduation requirements under section 6 of this act; and (3) the courses required to meet the minimum college entrance requirements under section 16 of this act. Such courses may be applied or theoretical, academic or vocational.

Sec. 3. Section 1, chapter 90, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.090 are each amended to read as follows:

Every school district board of directors, being accountable to the citizens within its district as to the education offered to the students therein, (~~on or before September 1, 1977, for grades kindergarten through eight, and on or before September 1, 1978, for grades nine through twelve, by rule and regulation;~~) shall, based on the timeline established by the superintendent of public instruction, develop a program identifying student learning objectives for their district (~~in the areas of language arts, reading, and math, and initiate implementation of such program on or before September 1, 1978, for grades kindergarten through eight, and on or before September 1, 1981, for grades nine through twelve. PROVIDED, That such student learning objectives for grades kindergarten through eight shall be reviewed by the superintendent of public instruction and a report of such review shall be submitted to the legislature on or before~~

~~January 31, 1978. PROVIDED FURTHER, That~~) in all courses of study included in the school district programs. The school district must evidence community participation in defining the objectives of such a program. ~~((Such))~~ The program of student learning objectives shall assure that the district's resources in ~~((such))~~ the educational program, such as money, facilities, time, materials and personnel, ~~((shall be utilized))~~ are used so as to provide both economies in management and operation, and quality education in ~~((the aforesaid))~~ all subject areas and courses. ~~(-PROVIDED FURTHER, That such))~~. The learning objectives shall be measurable as to the actual student attainment; student attainment shall be locally assessed annually and the student learning objectives program shall be reviewed at least every two years. In developing and reviewing the learning objectives, districts shall give specific attention to improving the depth of course content within courses and in coordinating the sequence in which subject matter is presented.

The superintendent of public instruction shall review implementation of the learning objectives law biennially and shall submit a report of such review to the legislature on or before January 1 of each odd-numbered year.

The state board of education shall examine the programs in each school district in the state for reasons of program approval as required in accordance with RCW 28A.41.130, as now or hereafter amended.

School districts may obtain assistance in carrying out their duties under this section from the educational service district of which they are a part.

NEW SECTION. Sec. 4. Section 2, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.092 are each repealed.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The office of the superintendent of public instruction, in consultation with the state board of education, shall prepare model curriculum programs and/or curriculum guidelines in three subject areas each year. These model curriculum programs or curriculum guidelines shall span all grade levels and shall include statements of expected learning outcomes, content, integration with other subject areas, recommended instructional strategies, and suggested resources.

Certificated employees with expertise in the subject area under consideration shall be chosen by the superintendent of public instruction from each educational service district, from a list of persons suggested by their peers, to work with the staff of the superintendent of public instruction to prepare each model curriculum program or curriculum guidelines. Each participant shall be paid his or her regular salary by his or her district, and travel and per diem expenses by the superintendent of public instruction. The superintendent of public instruction shall make selections of additional experts in the subject area under consideration as are needed to provide technical assistance and to review and comment upon the model curriculum programs and/or curriculum guidelines before publication and shall be paid travel and per diem expenses by the superintendent of public instruction as necessary. The model curriculum programs and curriculum guidelines shall be made available to all districts. Participants developing model curriculum programs and/or curriculum guidelines may be used by school districts to provide training or technical assistance or both. After completion of the original development of model curriculum programs or curriculum guidelines, the office of the superintendent of public instruction shall schedule, at least every five years, a regular review and updating of programs and guidelines in each subject matter area. Any travel and per diem expenses provided to employees involved in the development of model programs or guidelines shall not be considered salary or compensation for purposes of the limitations established in RCW 28A.58.095.

NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW a new section to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students who commence the ninth grade subsequent to July 1, 1985, that meet or exceed the following:

SUBJECT	CREDITS*	YEARS*
English	9	3**
Mathematics	6	2**
Social Studies		
United States history and government	3	1
Washington state history and government	1 1/2	1/2
Contemporary world history, geography, and problems	3	1
Science (3 credits must be in laboratory science)	6	2**
Occupational Education	3	1

SUBJECT	CREDITS*	YEARS*
Physical Education	(See RCW 28A.05.040 for physical education requirements.)***	
Electives	16 1/2	
Total	48	

* Credit means 60 hours of instruction including normal class change passing time. Three credits are the equivalent to a one-year course.

** No more than 1 credit per trimester or 1 1/2 credits per semester or 3 credits per year may be applied toward graduation requirements in these subjects. Additional credits in these subjects may be counted as electives.

*** The state board of education shall establish through rules and regulations clearly defined physical education requirements for the purpose of minimum high school graduation requirements under RCW 28A.05.040.

A candidate for graduation must have in addition earned a minimum of 48 credits and fulfilled the physical education requirement. These credits shall consist of the state requirements listed above and such additional requirements and electives as shall be established by each district.

(2) The state board of education shall develop and establish procedures for students to meet equivalencies for courses required for graduation in subsection (1) of this section. Such procedures may include provisions for competency testing in lieu of such courses.

(3) The state board of education shall establish procedures for establishing high school graduation requirements for students with special educational needs, in accord with limitations on their ability to fulfill these high school graduation requirements.

(4) The local school districts shall consider the relevance of vocational and applied courses in fulfilling these high school graduation requirements.

(5) The state board of education, upon request from local school districts, shall be authorized to grant temporary exemptions from the graduation requirements in subsection (1) of this section for reasons relating to school district size and availability of staff authorized to teach required subjects. The state board of education may adopt reasonable and necessary rules regarding exemptions for students who transfer between districts.

(6) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically re-evaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

NEW SECTION. Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Each school district board of directors may establish student grading policies which permit teachers to consider a student's attendance in determining the student's overall grade or deciding whether the student should be granted or denied credit. Such policies shall take into consideration the circumstances pertaining to the student's inability to attend school. However, no policy shall be adopted whereby a grade shall be reduced or credit shall be denied for disciplinary reasons only, rather than for academic reasons, unless due process of law is provided as set forth by the state board of education under RCW 28A.04.132.

Sec. 8. Section 1, chapter 98, Laws of 1975-'76 2nd ex. sess. and RCW 28A.03.360 are each amended to read as follows:

(1) ~~(It shall be the intent and purpose of this section to direct the office of superintendent of public instruction to conduct standardized reading, mathematics, and language arts achievement level surveys of approximately two thousand students distributed throughout the state in each of the grade levels eight and eleven during such testing cycles as provided for in subsection (2) of this section. The survey testing shall be based on a statistical random sample of students from these grade levels sufficient to generalize about all of the students at each of the selected grade levels from the state's school districts. The purpose of these surveys is to allow the public and the legislature to evaluate how Washington students in these grades compare to students in the same grades tested in other comparable national achievement surveys. The office of superintendent of public instruction shall coordinate such tests and provide such information as obtained therefrom to the legislature no less often than once every four years.~~

~~(2) The superintendent of public instruction shall prepare a report to the legislature on the achievement levels of students in grades eight and eleven based on the achievement level surveys conducted in the 1975-77 biennium and for each of the subsequent testing cycles as designated by the superintendent of public instruction's office. Such report shall include a comparison of the achievement levels attained by Washington students to the levels attained by students outside of the state, with special emphasis placed on the basic skills of reading, mathematics, and language arts. Such report shall also focus on appropriate input variables and comparisons of variables reported by other states' testing programs.~~

~~(3) Results of the first survey test shall be made available to the school districts and the legislature no later than June 30, 1977.~~

(4) ~~in addition to the survey testing for grades eight and eleven as set forth in this section:)~~ Every school district is encouraged to test pupils in grade two by an assessment device designed or selected by the local school districts. This test shall be used to help teachers in identifying those pupils in need of assistance in the skills of reading, writing, mathematics, and language arts. The test results are not to be compiled by the superintendent of public instruction, but are only to be used by the local school district.

~~((5))~~ (2) ~~The superintendent of public instruction shall prepare (with the assistance of local school districts) and conduct, with the assistance of local school districts, a standardized achievement test to be given annually to all pupils in grade four. The test shall assess students' skill in reading, mathematics, and language arts and shall focus upon appropriate input variables. Results of such tests shall be compiled by the superintendent of public instruction, who shall make those results available annually to the legislature, to all local school districts and subsequently to parents of those children tested. The results shall allow parents to ascertain the achievement levels and input variables of their children as compared with the other students within the district, the state and, if applicable, the nation.~~

(3) The superintendent of public instruction shall prepare and conduct, with the assistance of local school districts, an assessment to be administered annually to all grade eight students. The purposes of the assessment are to assist students, parents, and teachers in the planning and selection of appropriate high school programs and courses for the students and to provide comparisons within the district, the state and, if applicable, the nation. The assessment shall include but not be limited to tests in reading, mathematics, and language arts and a student interest inventory. The superintendent of public instruction shall make the results available to all local school districts which shall in turn make them available to students, parents, and teachers in a timely fashion.

(4) The superintendent of public instruction shall test approximately two thousand students distributed throughout the state in the eleventh grade once every two years. Choice of students shall be based on a statistical random sample of students from this grade level sufficient to generalize about all of the students at the grade level from the state's school districts. The purpose of the test is to allow the public, the legislature, and school district personnel to evaluate how Washington students in this grade compare to students in the same grade tested in other comparable national achievement surveys.

(5) The superintendent of public instruction shall report annually to the legislature on the achievement levels of students in grades four and eight and shall report biennially to the legislature on the achievement levels of students in grade eleven.

NEW SECTION. Sec. 9. The superintendent of public instruction shall conduct a study to determine the need for and feasibility of administering annually an assessment test to be given to all grade ten students. The superintendent shall report to the legislature by January 1, 1985, on the study findings and any recommendations.

NEW SECTION. Sec. 10. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

School districts are encouraged to prepare and administer a program of assessment tests to be periodically administered to students as they progress from the eighth through eleventh grades for the purpose of identifying and remedying deficiencies.

NEW SECTION. Sec. 11. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

(1) The superintendent of public instruction shall prepare, in consultation with and with the assistance of school districts, a model test to assess students' ability to perform various functions common to everyday life. This model test shall be called the 'Washington life skills test' and shall be made available to school districts for use at the district's option. The test shall include questions designed to determine students' academic growth and proficiency in skills generally thought to be useful in adult life, including but not limited to English, vocabulary, communications, and mathematical skills as such skills relate to career, consumer, economic, health, and other issues important to individuals becoming productive citizens. The superintendent of public instruction shall develop and implement a process to review periodically the contents of the test and make changes as may be appropriate or necessary.

(2) School districts may establish their own policies and procedures governing the use of the test. Districts may use the test as a requirement for graduation in conjunction with other state and local graduation requirements or for other purposes as districts may determine.

NEW SECTION. Sec. 12. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Pursuant to rules and regulations adopted by the superintendent of public instruction for the administration of this chapter, the superintendent of public instruction shall carry out a program for highly capable students. Such program may include conducting, coordinating and aiding in research (including pilot programs), disseminating information to local school districts, providing statewide staff development, and allocating to school districts supplementary funds for additional costs of district programs, as provided by section 14 of this act.

NEW SECTION. Sec. 13. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Local school districts may establish and operate, either separately or jointly, programs for highly capable students. Such authority shall include the right to employ and pay special instructors and to operate such programs jointly with a public institution of higher education. Local school districts which establish and operate programs for highly capable students shall adopt identification procedures and provide educational opportunities as follows:

(1) In accordance with rules and regulations adopted by the superintendent of public instruction, school districts shall implement procedures for nomination, assessment and selection of their most highly capable students. Nominations shall be based upon data from teachers, other staff, parents, students, and members of the community. Assessment shall be based upon a review of each student's capability as shown by multiple criteria intended to reveal, from a wide variety of sources and data, each student's unique needs and capabilities. Selection shall be made by a broadly based committee of professionals, after consideration of the results of the multiple criteria assessment.

(2) Students selected pursuant to procedures outlined in this section shall be provided, to the extent feasible, an educational opportunity which takes into account each student's unique needs and capabilities and the limits of the resources and program options available to the district, including those options which can be developed or provided by using funds allocated by the superintendent of public instruction for that purpose.

NEW SECTION. Sec. 14. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW a new section to read as follows:

Supplementary funds as may be provided by the state for this program, in accordance with RCW 28A.41.162, shall be categorical funding on an excess cost basis based upon a per student amount not to exceed three percent of any district's full-time equivalent enrollment.

NEW SECTION. Sec. 15. The following acts or parts of acts are each repealed:

- (1) Section 28A.16.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.010;
- (2) Section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; and
- (3) Section 28A.16.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.030.

NEW SECTION. Sec. 16. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW a new section to read as follows:

(1) All public high schools of the state shall provide a program, directly or otherwise, for students whose educational plans include application for entrance to a baccalaureate-granting institution after being granted a high school diploma. The program shall help these students to meet at least the minimum entrance requirements under section 18 of this act.

(2) The state board of education, upon request from local school districts, shall be authorized to grant temporary exemptions from providing the program described in subsection (1) of this section for reasons relating to school district size and availability of staff authorized to teach subjects which must be provided.

NEW SECTION. Sec. 17. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

(1) The boards of regents and trustees of the regional universities, state universities, and The Evergreen State College shall waive tuition, operating, and service and activities fees for two years for recipients of the Washington scholars award under RCW 28A.58.820 through 28A.58.832. To qualify for the waiver, recipients shall enter the college or university within three years of high school graduation and maintain a minimum grade point average at the college or university equivalent to 3.50.

(2) The council for postsecondary education shall report to the legislature on or before January 15, 1986, on the tuition waivers for the Washington scholars program. The report shall include an evaluation and recommendations on the effect of extending the waivers for a period of four years.

NEW SECTION. Sec. 18. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

(1) Notwithstanding the provisions of RCW 28B.10.050, the boards of regents or trustees of the state universities, regional universities, and The Evergreen State College shall mutually establish uniform minimum entrance requirements.

The council for postsecondary education shall publish and disseminate the entrance requirements to all high schools in this state. Commencing July 1, 1986, and by July 1 annually thereafter, the council for postsecondary education shall report to the legislature on the entrance requirements.

(2) The boards of regents or trustees shall ensure that special admission procedures shall be available to applicants who may be unable to meet the requirements in subsection (1) of this section for admission. Such applicants must be able to submit additional evidence of academic capability sufficient to ensure that the applicant will benefit from or contribute to the institutions' undergraduate program: PROVIDED, That such special admission procedures shall not be interpreted as guaranteeing admittance to the institutions. The special admission of students into educational opportunity programs shall be included in this special admission procedure.

Sec. 19. Section 28B.10.050, chapter 223, Laws of 1969 ex. sess. as amended by section 9, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.050 are each amended to read as follows:

Except as the legislature shall otherwise specifically direct, the boards of regents and the boards of trustees for the state universities, the regional universities, and The Evergreen State College (~~shall determine~~) may establish entrance requirements for their respective institutions of higher education that exceed the minimum entrance requirements established under section 18 of this 1984 act.

NEW SECTION. Sec. 20. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

The boards of regents or trustees of the state universities, regional universities, and The Evergreen State College, in consultation with the council for postsecondary education, shall mutually set uniform academic transfer policies for students who complete Washington state community college associate degrees.

NEW SECTION. Sec. 21. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction is authorized to grant funds to selected school districts to assist in the development of innovative programs for the retention of students in the common school system.

NEW SECTION. Sec. 22. Implementation of sections 5, 11, and 21 of this act and the amendment to RCW 28A.03.360 by section 8 of this act are each subject to funds being appropriated or available for such purpose or purposes.

NEW SECTION. Sec. 23. Sections 16, 18, and 19 of this act shall take effect July 1, 1986.

NEW SECTION. Sec. 24. 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, after "education;" strike the remainder of the title and insert "amending section 1, chapter 90, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.090; amending section 1, chapter 98, Laws of 1975-'76 2nd ex. sess. and RCW 28A.03.360; amending section 28B.10.050, chapter 223, Laws of 1969 ex. sess. as amended by section 9, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.050; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; creating new sections; repealing section 2, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.092; repealing section 28A.16.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.010; repealing section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; repealing section 28A.16.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.030; and providing an effective date."

Signed by Senators Gaspard, Lee; Representatives Galloway, Appelwick.

MOTION

Ms. Galloway moved that the House adopt the report of the Free Conference Committee on Substitute House Bill No. 1246.

Representatives Galloway, Brough and Vander Stoep spoke in favor of the motion, and Representatives Betrozoff, Taylor, Dickie, Schoon and Hastings spoke against it.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1246 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1246 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 76; nays, 20; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Barnes, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Haugen, Isaacson, Nealey, Padden, Prince, Silver, Smith C, Struthers, Taylor, Tilly, West, Williams J - 20.

Absent: Representative Wilson - 1.

Excused: Representative Long - 1.

Substitute House Bill No. 1246 as amended by 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 Mr. Heck, the House dispensed with further business under the Call of the House.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1984

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A supplemental budget as set forth in this 1984 act is hereby adopted and, subject to the provisions set forth in this 1984 act, the several amounts specified in this 1984 act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the designated agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1983, and ending June 30, 1985, except as otherwise provided, out of the several funds of the state hereinafter named, and making other appropriations.

INDEX

Accountancy Board, sec. 125
 Administrator for the Courts, sec. 110
 Agriculture Department, sec. 308
 Arts Commission, sec. 526
 Attorney General, sec. 116
 Blind Commission (Department of Services for the Blind), sec. 223
 Central Washington University, sec. 519
 Commerce and Economic Development Department, sec. 305
 Community College Education Board, sec. 515
 Corrections Department, sec. 201
 Corrections Standards Board, sec. 224
 Court of Appeals, sec. 109
 Criminal Justice Training Commission, sec. 218
 Deferred Compensation Committee, sec. 135
 Eastern Washington University, sec. 518
 Ecology Department, sec. 302
 Economic and Community Development Department, sec. 612
 Emergency Services Department, sec. 131
 Employment Security Department, sec. 222
 Energy Office, sec. 301
 Environmental Hearings Office, sec. 303
 Expo '86 Commission, sec. 310
 Financial Management Office, sec. 117
 Fisheries Department, sec. 306
 General Administration Department, sec. 121
 Governor, sec. 112
 Governor, Special Appropriations, sec. 601
 Higher Education Personnel Board, sec. 524
 Horse Racing Commission, sec. 126
 Hospital Commission, sec. 221
 House of Representatives, sec. 101
 Human Rights Commission, sec. 217
 Insurance Commissioner, sec. 122
 Judicial Qualifications Commission, sec. 111
 Labor and Industries Department, sec. 219
 Law Library, sec. 108
 Legislative Budget Committee, sec. 103
 Legislative Evaluation and Accountability Program Committee, sec. 104
 Lieutenant Governor, sec. 113

- Liquor Control Board, secs. 127, 128
- Licensing Department, sec. 402
- Military Department, sec. 132
- Minority and Women's Business Enterprises Office, sec. 136
- Natural Resources Department, sec. 307
- Parks and Recreation Commission, sec. 304
- Personnel Department, sec. 118
- Pharmacy Board, sec. 129
- Planning and Community Affairs Agency, sec. 216
- Postsecondary Education Council, sec. 522
- Prison Terms and Paroles Board, sec. 220
- Public Disclosure Commission, sec. 123
- Public Employment Relations Commission, sec. 133
- Retirement Systems Department, sec. 124
- Retirement Contributions, sec. 602
- Revenue Accrual Account, secs. 607-609
- Revenue Department, sec. 119
- Secretary of State, sec. 114
- Senate, sec. 102
- Sentencing Guidelines Commission, sec. 225
- Social and Health Services Department, secs. 202-214
 - Administration and Supporting Services, sec. 211
 - Community Services Administration, sec. 212
 - Developmental Disabilities Program, sec. 205
 - Income Assistance Program, sec. 207
 - Juvenile Rehabilitation Program, sec. 203
 - Medical Assistance Grants Program, sec. 208
 - Mental Health Program, sec. 204
 - Long-Term Care Program, sec. 206
 - Public Health Program, sec. 209
 - Reappropriations, sec. 214
 - Revenue Collections Program, sec. 213
 - Vocational Rehabilitation Program, sec. 210
- State Convention and Trade Center, sec. 605
- State Actuary, sec. 105
- State Auditor, sec. 115
- State Library, sec. 525
- State Patrol, sec. 401
- State Treasurer, Federal Revenues for Distribution, sec. 603
- Statute Law Committee, sec. 106
- Sundry claims, sec. 606
- Superintendent of Public Instruction, secs. 501-513
 - Basic Education Formula, sec. 502
 - Educational Clinics, sec. 513
 - Educational Service Districts, sec. 509
 - Handicapped Costs, sec. 508
 - Pupil Transportation, sec. 506
 - Remediation Assistance Program, sec. 511
 - Salary and Compensation, secs. 503-505
 - Special Needs Program, sec. 510
 - Transition Bilingual Program, sec. 512
 - Vocational-Technical Institutes, sec. 507
- Supreme Court, sec. 107
- Tax Appeals Board, sec. 120
- Temporary Committee on Educational Policy, Structure and Management, sec. 527
- The Evergreen State College, sec. 520
- Transportation Department, sec. 403
- University of Washington, sec. 516
- Utilities and Transportation Commission, sec. 130
- Veterans Affairs Department, sec. 215
- Vocational Education Commission, sec. 523
- Washington Centennial Commission, sec. 309
- Washington State University, sec. 517
- Western Washington University, sec. 521

PART I
GENERAL GOVERNMENT

Sec. 101. Section 2, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation \$ ((22,425,000))
22,387,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$400,000 or the portion thereof that is determined necessary by the house of representatives shall be allocated for, but not limited to, providing furnishings and equipment for new hearing room and office renovations.

(2) \$25,000 is provided solely for the joint committee on science and technology for the purposes of the production of an environmental study on the state-leased low-level radioactive waste site at Hanford, Washington.

Sec. 102. Section 3, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SENATE

General Fund Appropriation \$ ((20,111,000))
20,044,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$185,000 or the portion thereof that is determined necessary by the senate shall be allocated for, but not limited to, providing furnishings and equipment for new hearing room and office renovations.

(2) \$25,000 is provided solely for the joint committee on science and technology for the environmental study described in section 2(2) of this act.

Sec. 103. Section 4, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ((1,307,000))
1,458,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$20,000 is provided solely for a peer review of the state auditor's office.

(2) ~~((The legislative budget committee shall conduct a performance audit of the common school preschool handicapped program with respect to staffing and severity ratios and shall submit a report to the legislature before January 1, 1984))~~ \$73,000 is provided solely to conduct or have conducted a performance audit of the state's tourism promotion program. The performance audit should include, but not be limited to, identification of:

(a) The number of jobs actually created by and retained due to the state's promotion activities;

(b) The number of additional travelers who vacationed in the state due to the state's promotional activities;

(c) Who benefits from the expenditure of state tourism dollars; and

(d) The actual additional tax revenues collected that are directly attributable to the state's promotional activities. The completed audit shall be submitted to the legislature before January 1, 1985.

(3) The legislative budget committee shall conduct a performance audit of the common school drug and alcohol education programs and submit a report to the legislature before December 1, 1984.

Sec. 104. Section 5, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ((1,531,000))
1,523,000

Sec. 105. Section 6, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ((346,000))
344,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Any services related to the retirement systems established under RCW 28B.10.400 shall be billed to the requesting agency or higher education institution.

(2) Proposals shall be presented to the committees on ways and means of the senate and house of representatives not later than January 10, 1985, for (a) appropriate actuarial level funding methods which may be used for the retirement systems established under chapters 2.10 and 2.12 RCW and the supplemental payments under the retirement systems established under RCW 28B.10.400 et seq., and (b) any modifications or basic reforms in the aforementioned judicial retirement systems.

(3) \$35,000 of the appropriation in this section shall be used solely for the process of filling the vacancy of the state actuary.

Sec. 106. Section 7, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((5,120,000))~~
5,094,000

Sec. 107. Section 8, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((7,126,000))~~
7,075,000

General Fund—Judiciary Education Account Appropriation \$ 1,378,000

Total Appropriation \$ ~~((8,504,000))~~
8,453,000

The appropriations in this section are subject to the following conditions and limitations: \$1,853,000 of the general fund appropriation and \$1,378,000 of the judiciary education account appropriation are provided solely for the indigent appeals program.

Sec. 108. Section 9, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((2,036,000))~~
2,030,000

The appropriation in this section is subject to the following conditions and limitations: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 109. Section 10, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((9,030,000))~~
8,999,000

Sec. 110. Section 11, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation \$ ~~((21,555,000))~~
21,800,000

General Fund—Judiciary Education Account Appropriation \$ 1,310,000

Total Appropriation \$ ~~((22,865,000))~~
23,110,000

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

(1) A maximum of ~~\$((8,524,000))~~ 8,654,000 of the general fund appropriation may be spent for the superior court judges. Of this amount, \$330,000 is provided solely for criminal cost bills; ~~\$((300,000))~~ 430,000 is provided solely for mandatory arbitration costs; and \$135,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) \$610,000 of the judiciary education account appropriation is provided solely for judicial and support staff education programs.

(3) \$195,000 of the judiciary education account appropriation is provided solely for staff support for the judiciary education program.

(4) \$225,000 of the judiciary education account appropriation is provided solely for fall judicial conferences.

(5) \$280,000 of the judiciary education account appropriation is provided solely for education and training for the supreme court, the court of appeals, the law library, and the administrator for the courts' office.

(6) \$75,000 of the general fund is provided solely for the limited practice board. The board shall report to the committees on judiciary of the senate and house of representatives no later than January 15, 1985, regarding its activities during the biennium. The report shall include, but not be limited to: (a) information regarding revenues received to date, including their sources and amounts; (b) expenditures to date, including their purposes and amounts; (c) the number of applications for certification; (d) the number of applicants certified; (e) the educational courses and programs accredited by the board; (f) the number and scope of complaints received, investigations initiated, grievance hearings held, and disciplinary actions taken; (g) the standardized forms approved by the board; (h) the regulations adopted by the board; and (i) anticipated board activities in the ensuing biennium.

(7) \$120,000 of the general fund appropriation is provided solely for allocation to the superior court for Thurston County to relieve the impact of litigation involving the state of Washington.

Sec. 111. Section 12, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL QUALIFICATIONS COMMISSION

General Fund Appropriation \$ ~~((426,000))~~
424,000

Sec. 112. Section 13, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation	\$	((3,441,000))
		<u>3,425,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$209,000 shall be used solely 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.

(2) \$154,000 shall be used solely for mansion maintenance.

(3) \$~~((3,070,000))~~ 3,062,000 shall be used solely for executive operations.

Sec. 113. Section 14, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((249,000))
		<u>248,000</u>

Sec. 114. Section 15, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((4,942,000))
		<u>6,685,000</u>

General Fund—Archives and Records Management Account

Appropriation	\$	1,310,000
Total Appropriation	\$	((6,252,000))
		<u>7,995,000</u>

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

(1) \$~~((920,000))~~ 789,000 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: PROVIDED, That the secretary of state review, audit and approve as accurate the costs incurred by the counties.

(2) \$1,912,000 is provided solely to reimburse counties for the state's share of election costs attributable under RCW 29.13.045 to the 1983 special primary and vacancy election for the office of United States Senator: PROVIDED, That the secretary of state review, audit, and approve as accurate the costs incurred by the counties.

(3) \$1,558,000 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.

Sec. 115. Section 20, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((512,000))
		<u>514,000</u>
General Fund Appropriation—Federal	\$	398,000
Motor Vehicle Fund Appropriation	\$	290,000
Municipal Revolving Fund Appropriation	\$	13,293,000
Auditing Services Revolving Fund Appropriation	\$	7,083,000
Total Appropriation	\$	((21,576,000))
		<u>21,578,000</u>

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

(1) If legislation is not enacted before July 1, 1983, permitting payment from the municipal revolving fund of the expenses of maintaining and operating the state auditor's office in connection with local government audits, the general fund appropriation in this section shall be increased by \$196,000 and the municipal revolving fund appropriation shall be reduced by \$196,000.

(2) \$3,000 of the general fund—state appropriation is provided solely for the payment of assessments by weed districts on state lands in accordance with RCW 17.04.180.

Sec. 116. Section 21, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((4,280,000))
		<u>4,282,000</u>
Legal Services Revolving Fund Appropriation	\$	25,683,000
Total Appropriation	\$	((29,971,000))
		<u>29,965,000</u>

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

(1) No moneys appropriated in this section may be expended for the support of the crime watch program.

(2) No moneys appropriated in this section may be expended for the support of the law enforcement assistance program.

(3) A maximum of \$313,000 is provided solely for the criminal litigation unit.

(4) \$24,000 of the general fund appropriation is provided solely for a consumer protection hotline within the consumer protection division.

Sec. 117, Section 22, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((+1,616,000))
		12,353,000
General Fund Appropriation—Federal	\$	50,000
Medical Aid Fund Appropriation—State	\$	100,000
Data Processing Revolving Fund Appropriation	\$	1,368,000
Total Appropriation	\$	((+1,134,000))
		13,871,000

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

(1) Not more than \$2,500,000, of which \$1,132,500 is from the state general fund and \$1,367,500 from the data processing revolving fund, is provided for expenses related to the agency financial reporting system (AFRS). The office of financial management shall allocate moneys to various state agencies on the basis of identified need. Whenever allocations are made to agencies financed in whole or in part by other than general fund moneys, the director of financial management shall direct the repayment of such allocated amount to the data processing revolving fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

~~((3))~~ (2) \$20,000 is provided solely for a feasibility study of an offender-based corrections information system to serve the combined information needs of the department of corrections, board of prison terms and parole, sentencing guidelines commission, corrections standard board, and the administrator for the courts, to be delivered to the legislature by December 1, 1984.

(3) \$775,000 of the general fund—state appropriation is provided solely for the development and implementation of the Washington state patrol criminal history information system: PROVIDED, That no funds may be expended until a joint oversight committee is created to review the design and implementation of the system. The joint oversight committee shall include but is not limited to, the director of financial management and the chairmen, or their designees, of the house and senate ways and means committees.

(4) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state of \$500 or less, pursuant to RCW 4.92.040.

(5) The office of financial management shall present to the legislature by December 1, 1984, a plan to have the state self-fund any or all portions of the insurance programs offered by the state. For purposes of this study, the reserves required by the self-funded programs shall be assumed to be held by the state treasurer in the originating funds until an obligation occurs. The state investment board shall act as the investor for the funds, and all of the earnings from these investments shall accrue directly to the originating funds.

(6) \$96,000 is provided for the purposes of studying coordination, the potential for merger between Eastern Washington and Washington State Universities in the manner of Substitute House Bill No. 1363 as amended by senate committee in the 1984 legislative session, and enhancement of enrollment for Washington State University. A Higher Education Coordination Study Committee is hereby created to conduct the study, consisting of:

(1) Two members from each caucus in the house of representatives, to be appointed by the speaker;

(2) Two members from each caucus in the senate, to be appointed by the president of the senate;

(3) Two representatives of the governor, to be appointed by the governor;

(4) One regent of Washington State University, to be appointed by its board of regents;

(5) One trustee from Eastern Washington University, to be appointed by its board of trustees;

(6) Two students, one from each of the universities, to be appointed by the president of the senate and the speaker from a list of three submitted by the governing body of the recognized student association;

(7) Two faculty members, one from each of the universities, to be appointed by the president of the senate and speaker from a list of three submitted by the faculty senate or its equivalent.

Members of the higher education review committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. The office of financial management shall contract for an analysis by the council for postsecondary education as provided in Substitute House Bill No. 1363 as amended by senate committee.

Sec. 118, Section 24, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

General Fund Appropriation	\$	60,000
Department of Personnel Service Fund Appropriation	\$	((8,625,000))
		8,753,000
State Employees' Insurance Fund Appropriation	\$	1,542,000
Total Appropriation	\$	((10,167,000))
		10,355,000

The appropriations in this section are subject to the following conditions and limitations: ((If House Bill No. 134 is enacted before July 1, 1983, the department of personnel service fund appropriation shall be reduced by \$275,000.))

(1) \$45,000 from the department of personnel service fund is provided solely for a comparative study, jointly funded with the department of retirement systems and the higher education personnel board, of part-time employee policy and benefits. This study shall be directed to other states and representative private colleges and universities and private sector service-related enterprises as to their practices and policies for shared work, phased retirement, health care benefits, retirement allowances, and other related issues. A report shall be made to the legislature not later than December 21, 1984, containing findings and recommendations.

(2) \$60,000 of the general fund appropriation is provided solely for the department of personnel to conduct a study for the purpose of reviewing and formulating ways to implement comparable worth in accordance with chapter 75, Laws of 1983 1st ex. sess. The department shall coordinate the study with the higher education personnel board and its study on comparable worth implementation. During the course of the study, the department shall report to the joint select committee on comparable worth on the study's progress. The department shall report back to the legislature no later than January 1, 1985, with potential implementation alternatives.

Sec. 119. Section 27, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((43,164,000))
		43,054,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	2,851,000
Motor Vehicle Fund Appropriation	\$	115,000
Total Appropriation	\$	((46,130,000))
		46,020,000

The appropriations in this section are subject to the following conditions and limitations: If the state timber tax reserve account is abolished and a timber excise tax account is established, the appropriation from the state timber tax reserve account shall be made from the timber excise tax account to the extent that moneys in the state timber tax reserve account are insufficient for the appropriation.

Sec. 120. Section 28, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((999,000))
		997,000

Sec. 121. Section 29, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,030,000))
		5,992,000
General Fund Appropriation—Private/Local	\$	58,000
General Fund—Motor Transport Account Appropriation	\$	6,858,000
General Administration Facilities and Services Revolving Fund		
Appropriation	\$	16,180,000
Total Appropriation	\$	((29,134,000))
		29,088,000

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

(1) The community college districts shall transfer to the motor transport account \$51,390 from the general local fund and \$157,389 from the local motor pool fund. These transfers shall be made in accordance with schedules provided by the office of financial management.

(2) The appropriation from the motor transport account may be used for the replacement of existing vehicles but shall not be used to expand the fleet.

Sec. 122. Section 30, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$	((7,902,000))
		7,925,000

The appropriation in this section is subject to the following conditions and limitations: \$50,000 is provided solely for the insurance commissioner to conduct a survey of, but not limited to, mandated health benefits and offerings by insurance carriers, health care service contractors, and health maintenance organizations that includes the cost and premiums charged, and the expense and claims experience incurred, by line of coverage for such offerings or benefits. A report containing such data shall be delivered to the legislature by December 1, 1985.

Sec. 123. Section 31, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation \$ ~~((976,000))~~
971,000

Sec. 124. Section 32, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense Fund Appropriation \$ ~~((10,458,000))~~
10,533,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The department of retirement systems is authorized to transfer from the applicable retirement system fund to the department of retirement systems expense fund amounts which represent each system's proportionate share of administrative expenses.

(2) \$75,000 is provided for the department of retirement systems to join with the department of personnel in conducting a study of part-time employee policy and benefits.

Sec. 125. Section 34, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation \$ ~~((294,000))~~
292,000
Certified Public Accountant Examination Account Appropriation \$ 351,000
Total Appropriation \$ ~~((645,000))~~
643,000

(The appropriations in this section are subject to the following conditions and limitations: If Substitute House Bill No. 646 is not enacted by July 1, 1983, the general fund appropriation shall be increased by \$317,000.)

Sec. 126. Section 37, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation \$ ~~((2,836,000))~~
3,480,000

The appropriation in this section is subject to the following conditions and limitations: If there are more than seven hundred two racing days during the fiscal biennium ending June 30, 1985, the governor is authorized to allocate such additional moneys from the horse racing commission fund as may be required.

Sec. 127. Section 38, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM, AND THE LICENSING AND ENFORCEMENT PROGRAM

Liquor Revolving Fund Appropriation \$ ~~((14,491,000))~~
14,676,000

The appropriation in this section is subject to the following conditions and limitations: The board may expend up to \$185,000 for beginning the development and implementation of a computerized data processing regulatory system.

Sec. 128. Section 39, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD—MERCHANDISING PROGRAM

Liquor Revolving Fund Appropriation \$ ~~((70,397,000))~~
70,212,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The liquor control board shall maintain a minimum productivity of 43,821 bottles sold adjusted to retail per FTE staff year. However, \$250,000 of this appropriation is provided solely to the board for fiscal year 1985 to employ store clerks in addition to those permitted under the minimum productivity standard as may be necessary to effect a smooth transition to the new minimum productivity standard. As used in this section, 'bottles sold adjusted to retail' has the same meaning and shall be calculated in the same manner as in the board's budget request for the fiscal biennium ending June 30, 1985. The board shall not permit a productivity less than that specified in this section for any reason, including but not limited to the sale of lottery tickets or decreases in the demand for liquor.

(2) The liquor control board is authorized to relocate stores during the fiscal biennium ending June 30, 1985, if necessary to conduct business in the most efficient and economical manner possible.

(3) The liquor control board is prohibited from opening any new retail sales outlets or to convert agencies to retail sales outlets during the fiscal biennium ending June 30, 1985.

(4) The liquor control board shall distribute and offer for sale lottery tickets for the Washington state lottery during the fiscal biennium ending June 30, 1985.

Sec. 129. Section 40, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$	((1,072,000))
		<u>1,033,000</u>
Health Professions Account Appropriation	\$	<u>200,000</u>
Total Appropriation	\$	<u>1,233,000</u>

The appropriations in this section are subject to the following conditions and limitations: The health professions account appropriation is provided solely for the purpose of conducting drug-related investigations involving those licensed health care practitioners who are not licensed pharmacists. Nothing herein shall affect the authority of the department of licensing to adjust revenues from licensure fees proportionally by profession pursuant to RCW 43.24.086 to effectuate the purposes of this section.

Sec. 130. Section 41, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation—State	\$	((17,351,000))
		<u>17,832,000</u>
Public Service Revolving Fund Appropriation—Federal	\$	<u>452,000</u>
Grade Crossing Protective Fund Appropriation	\$	<u>516,000</u>
Total Appropriation	\$	((18,319,000))
		<u>18,800,000</u>

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

(1) \$320,000 of the grade crossing protective fund appropriation shall be expended for obligations incurred in previous biennia.

(2) Not more than \$110,000 shall be expended for an additional assistant attorney general for increased workload in utility rate requests.

(3) \$150,000 from the public service revolving fund appropriation is provided solely for the joint select committee on telecommunications regulation for the purposes of reviewing the consequences of changes in the telecommunications industry, including the AT&T divestiture.

(4) \$700,000 is provided solely for costs of the attorney general associated with representation of the public before the commission, including but not limited to the costs of special attorneys general, expert witnesses, technical assistants, and consultants.

(5) \$481,000 of the public service revolving fund appropriation is provided solely for the following purposes:

(a) To implement chapter 3, Laws of 1984;

(b) To conduct a study of local exchange costs, pricing, and investment;

(c) To conduct a study of rates of drop-off and bypass of telephone service;

(d) For six additional FTE staff units: Two utility service examiners and four research analysts; and

(e) For the citizens' advisory committee on utilities and telecommunications.

Sec. 131. Section 43, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	((766,000))
		<u>882,000</u>
General Fund Appropriation—Federal	\$	<u>3,862,000</u>
Total Appropriation	\$	((4,628,000))
		<u>4,744,000</u>

Sec. 132. Section 44, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((6,931,000))
		<u>6,892,000</u>
General Fund Appropriation—Federal	\$	<u>1,723,000</u>
Total Appropriation	\$	((8,654,000))
		<u>8,615,000</u>

Sec. 133. Section 45, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$	((1,422,000))
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1,560,000

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 1219 or similar legislation is not enacted prior to July 1, 1984, \$141,000 of the appropriation in this section shall lapse.

Sec. 134. Section 49, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund Appropriation	\$	(766,000)
		<u>766,000</u>

(The appropriation in this section is subject to the following conditions and limitations: If Second Substitute Senate Bill No. 3230 is not enacted before July 1, 1983, the appropriation in this section shall lapse.)

NEW SECTION. Sec. 135. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE DEFERRED COMPENSATION COMMITTEE

Deferred Compensation Revolving Fund	\$	650,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) In order to implement the appropriation in this section, the deferred compensation committee is authorized to enter into an agreement with the state treasurer, with the consent of the state finance committee, under the authority of RCW 43.84.100. Repayment of any interfund loan agreed to shall be repaid, with appropriate interest, by June 30, 1989.

(2) The appropriation in this section shall revert to the deferred compensation revolving fund if Substitute Senate Bill No. 3926 is enacted into law.

PART II

HUMAN SERVICES

Sec. 201. Section 51, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

(a) \$2,153,000 is appropriated from the general fund for the continuation and expansion of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties. \$38,000 of the appropriation in this subsection (1)(a) is provided solely for the current Pierce county and Snohomish county treatment alternatives to street crime programs to implement the expansion program.

(b) ~~\$(51,803,000)~~ \$1,573,000 is appropriated from the general fund, subject to the following conditions and limitations:

(i) \$236,000 is provided solely for community diversion programs.

(ii) \$200,000 is provided solely for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

(iii) ~~\$(25,450,000)~~ 25,344,000 is provided for probation and parole, other than for drug and alcohol specialized officers in counties currently or proposed to be served by the treatment alternatives to street crime programs.

(iv) ~~\$(4,054,000)~~ 4,036,000 is provided for intensive parole.

(v) ~~\$(16,952,000)~~ 16,876,000 is provided to operate and/or contract with nonprofit corporations for work training release for convicted felons.

(vi) ~~\$(4,026,000)~~ 4,008,000 is provided to operate the Geiger community work release facility for convicted felons.

(vii) ~~\$(877,000)~~ 873,000 is provided for support of the state director's office of community services.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(206,860,000)
		<u>209,552,000</u>

General Fund Appropriation—Federal	\$	700,000
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Total Appropriation	\$	(207,560,000)
		<u>210,252,000</u>

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

(a) \$712,000 of the general fund—state appropriation is provided solely for drug and alcohol rehabilitation treatment programs at appropriate state correctional institutions, as defined in RCW 72.01.050 for persons who: (i) Are defined as inmates under RCW 72.09.020; (ii) In the opinion of a qualified health professional designated by the department, are in need of such treatment; and (iii) have less than one year remaining in their confinement to a state correctional facility. Such programs may include facilities for both residential and outpatient treatment.

(b) The superintendents of each correctional institution, as defined in RCW 72.65.010, shall establish community-based volunteer, alcohol and drug rehabilitation programs in their respective correctional institution. The superintendents shall encourage groups conducting such programs outside the institutions to participate in such programs inside the institution. An

employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(c) ~~((The department shall))~~ \$1,370,000 of the general fund—state appropriation is provided solely for the department to contract with appropriate counties for the use of up to ((200)) 100 additional beds in county jails for state inmates. ((Contracted jail space shall be used for inmates who have not fully entered the state prison system and for inmates who are nearing their release date who are not appropriate for parole, work release, or early release.))

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation—State	\$	((13,278,000))
		13,850,000
General Fund—Institutional Impact Account Appropriation	\$	865,000
Total Appropriation	\$	((14,143,000))
		14,715,000

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

(a) \$1,480,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities and for the one-time cost impact associated with the double bunking at the Washington Corrections Center due to the significant increase in the inmate population and the consequent impact on the community.

(b) \$631,000 of the general fund—state appropriation is provided solely for the development of an offender-based information system.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation	\$	((5,463,000))
		5,439,000

The appropriation in this subsection is subject to the following conditions and limitations: \$13,500 may be used to develop a proprietary accounting system.

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes and no transfer shall be made among said subsections.

Sec. 202, Section 52, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

~~((2))~~ The department of social and health services shall not initiate any services which will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on July 1, 1983. The department of social and health services may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of the amounts anticipated in this act. Any federal moneys not anticipated in this act and state general fund moneys made available as a result of unanticipated federal moneys shall not be spent to provide new services or programs without prior consultation with the ways and means committees of the senate and house of representatives.

Sec. 203, Section 53, chapter 76, Laws of 1983 1st 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	\$	((25,444,000))
		25,410,000
General Fund Appropriation—Federal	\$	54,000
Total Appropriation	\$	((25,498,000))
		25,464,000

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

(a) \$12,329,000 of the general fund—state appropriation is provided solely for consolidated juvenile services. The department shall use these moneys to reduce commitments to the department and promote alternatives to institutional bed usage. The department shall submit a report to the legislature by December 1, 1984, on the success of these services in preventing institutionalization and reducing recidivism.

(b) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((40,000,000))
		39,871,000
General Fund Appropriation—Federal	\$	788,000
Total Appropriation	\$	((40,796,000))
		40,659,000

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

The appropriations in this subsection shall be initially allotted as follows:

(a) \$11,763,000, of which \$11,507,000 is from the general fund—state appropriation, and 390.0 FTE staff years for the Echo Glen Children's Center to operate at least eleven cottages:

(b) \$9,836,000, of which \$9,638,000 is from the general fund—state appropriation, and 320.0 FTE staff years for the Maple Lane School to operate at full bed capacity.

(c) \$10,356,000, of which \$10,212,000 is from the general fund—state appropriation, and 310.4 FTE staff years for the Green Hill School to operate at full bed capacity.

(d) \$5,436,000, of which \$5,318,000 is from the general fund—state appropriation, and 159.0 FTE staff years for the Naselle Youth Camp to operate at full bed capacity.

(e) \$3,405,000, of which \$3,333,000 is from the general fund—state appropriation, and 82.0 FTE staff years for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	(2,207,000)
		2,195,000

(4) The appropriations in subsections (1), (2), and (3) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

Sec. 204, Section 54, chapter 76, Laws of 1983 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	\$	(85,120,000)
		83,121,000
General Fund Appropriation—Federal	\$	(14,095,000)
		26,596,000
General Fund Appropriation—Local	\$	264,000
Total Appropriation	\$	(99,407,000)
		109,981,000

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

(a) The department is directed to develop at least 55 new community residential involuntary treatment act (ITA) beds and submit a report to the legislature by January 1, ~~(1984)~~ 1985, describing its progress in complying with this requirement.

(b) \$436,000 of the general fund—state appropriation is provided solely for pilot school-based early intervention projects in at least three school districts. The department shall issue a request for proposals no later than September 1, 1983, and shall contract with school districts no later than January 1, 1984. School districts shall be required to provide in-kind matching equal in value to at least 43% of the funding provided in this subsection. At least 85% of children served in each participating district shall be in grades kindergarten through three. Parental consent shall be required before any child is involved in screening or accepted into a project. Each project staff shall include a children's mental health professional and a paraprofessional coordinator. The department shall plan and administer the projects in consultation with the superintendent of public instruction, local school districts, licensed community mental health providers, and other community representatives. Of the amount provided in this subsection, up to \$70,000 may be expended for administration, training, and consultation by the department.

(c) \$465,000 is provided solely for a community psychiatric training program at the University of Washington to provide the following:

(i) Placement of psychiatry residents and other postgraduate trainees in both state mental institutions and community mental health programs;

(ii) Technical assistance to the department of social and health services; and

(iii) Continuing educational opportunities for mental health professionals state-wide.

(d) \$500,000 of the general fund—state appropriation is provided solely for operating ten children's long-term residential beds in Pierce County.

(e) \$3,300,000 of the general fund—federal appropriation is provided for continuation grants to previously directly federally funded operations grants to mental health agencies.

(f) \$2,600,000 of the general fund—federal appropriation is provided for community support project grants.

(g) \$2,900,000 of the general fund—federal appropriation is provided for transitional grants to mental health agencies to serve general assistance—unemployable clients.

(h) \$600,000 of the general fund—federal appropriation is provided for enhancement of services for minority clients of mental health agencies who meet priority group definitions.

(i) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(107,845,000)
		107,530,000
General Fund Appropriation—Federal	\$	3,493,000
Total Appropriation	\$	(111,338,000)
		111,023,000

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	(2,854,000)
		2,845,000
General Fund Appropriation—Federal	\$	584,000

General Fund Appropriation—Local	\$	14,000
Total Appropriation	\$	(3,452,000)
		3,443,000

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal	\$	38,000
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(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

Sec. 205, Section 55, chapter 76, Laws of 1983 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	\$	(51,390,000)
		51,386,000
General Fund Appropriation—Federal	\$	(41,765,000)
		49,265,000
Total Appropriation	\$	(93,155,000)
		100,651,000

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

(a) \$100,000 of the general fund—state appropriation is provided solely for a contract marketing project to ensure greater access for small agencies providing long-term employment to individuals with severe developmental disabilities. The department shall determine the criteria for small agencies that will benefit from this marketing project and enlist the support of business, industry, and government in developing work opportunities. The department shall monitor the contract and submit a report to the legislature by December 1, 1984. The report shall include changes in the workers' wages and commercial revenue of the agencies involved during the period of the project.

(b) The appropriations in this subsection shall be initially allotted as follows:

(i) \$14,664,000 of the general fund—state appropriation for group homes to serve an average monthly caseload of 936 clients.

(ii) \$24,759,000, of which \$2,772,000 is from the general fund—state appropriation, for county services to serve an average monthly caseload of 3,837 clients.

(iii) \$8,390,000, of which \$6,922,000 is from the general fund—state appropriation, for field services to serve an average monthly caseload of 9,575 clients.

(iv) \$2,652,000, of which \$536,000 is from the general fund—state appropriation, for home care to serve an average monthly caseload of 1,066 clients.

(v) \$33,036,000, of which \$16,842,000 is from the general fund—state appropriation, for title XIX residential services to serve an average monthly caseload of 965 clients.

(vi) \$956,000 of the general fund—state appropriation for alternative living to serve an average monthly caseload of 322 clients.

(vii) \$8,423,000 of the general fund—state appropriation for tenant support to serve an average monthly caseload of 541 clients.

(c) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(d) \$175,000 of the general fund—state appropriation is provided solely for the dental education in care of the disabled graduate training program with the University of Washington.

(e) \$2,226,000 of the general fund—state appropriation made available as a result of implementation of the community alternatives program—Title XIX medicaid waiver shall be placed in a reserve account. No expenditure may be made from this reserve account unless specifically authorized by law. The department shall report not later than December 1, 1984, to the ways and means committees of the senate and house of representatives on its implementation of the community alternatives program—Title XIX medicaid waiver. The report shall include the number of clients covered and served, the types of services provided, and the costs and savings associated with the waiver. The department shall not expend any state funds made available through the waiver to create new programs, except the developmental disabilities adult dental program.

(f) A maximum of \$1,274,000 of the general fund—state appropriation made available as a result of implementation of the community alternatives program—Title XIX medicaid waiver may be spent to increase employee compensation in community residential facilities serving developmentally disabled persons.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(100,012,000)
		99,735,000
General Fund Appropriation—Federal	\$	62,045,000
Total Appropriation	\$	(162,057,000)
		161,780,000

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall be initially allotted as follows:

(a) \$40,666,000 and 1,584.2 FTE staff years for the Fircrest School to operate at a biennial average daily population of 496.

(b) \$18,178,000 and 745.4 FTE staff years for the Interlake School to operate at a biennial average daily population of 250.

(c) \$43,959,000 and 1,670.4 FTE staff years for the Rainier School to operate at a biennial average daily population of 512.5.

(d) \$29,668,000 and 1,219.0 FTE staff years for the Lakeland Village School to operate at a biennial average daily population of 350.

(e) \$12,266,000 and 475.2 FTE staff years for the Yakima Valley School to operate at a biennial average daily population of 150.

(f) \$4,773,000 and 191.6 FTE staff years for the Frances Haddon Morgan Children's Center to operate at a biennial average daily population of 54.

(g) \$4,562,000 and 151.8 FTE staff years for the School for the Blind to operate at a biennial average daily population of 63.

(h) \$7,965,000 and 235.8 FTE staff years for the School for the Deaf to operate at a biennial average daily population of 205.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	((3,742,000))
		3,732,000
General Fund Appropriation—Federal	\$	864,000
Total Appropriation	\$	((4,606,000))
		4,596,000

(4) SPECIAL PROJECTS

General Fund Appropriation—State	\$	((911,000))
		908,000
General Fund Appropriation—Federal	\$	1,152,000
Total Appropriation	\$	((2,063,000))
		2,060,000

(5) The appropriations in subsections (1), (2), (3), and (4) of this section are made solely for those purposes only and no transfer shall be made among said subsections.

Sec. 206, Section 56, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE SERVICES

General Fund Appropriation—State	\$	((217,064,000))
		217,073,000
General Fund Appropriation—Federal	\$	211,341,000
Total Appropriation	\$	((428,425,000))
		428,414,000

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

(1) The department shall provide a coherent system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources.

(2) \$323,831,000, of which \$162,984,000 is from the general fund—state appropriation, is provided for nursing home services.

~~((a)) Of the amounts provided in this subsection (2), \$8,000,000, of which \$4,000,000 is from the general fund—state appropriation, is provided solely for implementation of cost reimbursement rate reform pursuant to Substitute Senate Bill No. 3780 or Senate Bill No. 3920 and chapter 74.46 RCW. If Substitute Senate Bill No. 3780 and Senate Bill No. 3920 fail to become law by July 1, 1983, such portion of the appropriation shall lapse and a separate amount of \$6,000,000, of which \$3,000,000 is from the general fund—state appropriation, shall be provided solely for independent certified audits of nursing homes under RCW 74.46.120.~~

~~((b)) Vendor rate adjustments for inflation under chapter 74.46 RCW shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.~~

~~(3) \$8,000,000, of which \$4,000,000 is from the general fund—state appropriation, ((shall be placed in a reserve account. The department shall report not later than January 1, 1984, to the ways and means committees of the senate and house of representatives on efforts to divert clients from unnecessary nursing home placements through the use of the community options program entry system federal waiver. The report shall include data on the number of clients so diverted, the types of care and/or services provided to such clients as alternatives to nursing home placement, and the costs and savings associated with such diversions. No expenditure may be made from the reserve account established in this subsection unless specifically authorized by law)) is released from reserve status. These moneys are provided solely for the chore services program.~~

(4) \$85,869,000, of which \$44,159,000 is from the general fund—state appropriation, is provided solely for community-based long-term care services including congregate care, adult family home care, chore services, home health care, nutrition services, transportation services, and case management services.

(a) \$452,000 of the general fund—state appropriation is provided solely for increased rates and respite care payments for adult family homes to promote participation in the program.

(b) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(c) \$14,112,000 of the general fund—state appropriation is provided for implementation of the senior citizens services act. At least 7.0% of this amount shall be used for 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 and shall not be transferred or used for any other purpose.

(d) \$41,095,000, of which \$18,277,000 is from the general fund—state appropriation, is provided for chore services. The department shall report to the legislature by December 1, ((1983)) 1984, regarding the client impact of revisions to the chore services program resulting from the 1983 amendments to RCW 74.08.541.

(e) \$30,210,000, of which \$11,318,000 is from the general fund—state appropriation, is provided for the services outlined in subsections (4) (e) (i) through (v) of this section and shall be initially allotted as follows:

(i) \$18,301,000 from federal funds is provided for the federal older Americans act.

(ii) \$1,193,000, of which \$602,000 is from the general fund—state appropriation, is provided for adult day health services.

(iii) \$51,000 is provided for nursing home discharge payments.

(iv) \$8,454,000 is provided for congregate care services.

(v) \$2,211,000 is provided for adult family home services.

(5) ~~\$(10,725,000))~~ 10,714,000, of which ~~\$(5,941,000))~~ 5,930,000 is from the general fund—state appropriation, is provided for the administration of long-term care services and shall be initially allotted as follows:

(a) ~~\$(2,618,000))~~ 2,613,000, of which ~~\$(1,755,000))~~ 1,750,000 is from the general fund—state appropriation, is provided for the bureau of aging and adult services.

(b) ~~\$(8,107,000))~~ 8,101,000, of which ~~\$(4,186,000))~~ 4,180,000 is from the general fund—state appropriation, is provided for the bureau of nursing home affairs.

Sec. 207. Section 57, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((359,127,000)) 374,252,000
General Fund Appropriation—Federal	\$	((314,301,000)) 329,502,000
Total Appropriation	\$	((673,508,000)) 703,754,000

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

(1) The department shall adopt by rule medical criteria for general assistance eligibility to ensure that eligibility determinations are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

~~((3))~~ (2) Public assistance grants shall not be prorated or otherwise reduced solely because of the presence in the household of an individual not legally responsible for the support of the assistance unit, and the department shall not assume any contribution from such individual for the support of the assistance unit.

~~((4))~~ (3) ~~\$(25,536,000))~~ 55,782,000, of which ~~\$(12,760,400))~~ 27,893,000 is from the general fund—state appropriation, is provided solely for aid to families with dependent children for two-parent families beginning on July 1, 1983, and continuing through June 30, ((1984)) 1985. Additional funds appropriated in this section may be expended for the program during such period. The department shall amend its state plan under title IVA of the federal social security act in order to secure federal matching funds for the program during such period.

~~((5))~~ (4) \$2,982,000 of the general fund—state appropriation is provided solely for general assistance to pregnant women under the 1983 amendments to RCW 74.04.005.

~~((6))~~ (5) Grant payment standards will be increased 2.5% on July 1, 1983, and 3.0% on July 1, 1984, for aid to families with dependent children, general assistance, consolidated emergency assistance, and refugee assistance.

((7)) (6) It is the continuing intention of the legislature that payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs contain an energy allowance to offset the high and rising costs of energy, and that such allowance be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$65,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8	or more
Exemption:	\$21	27	32	39	44	50	59	64	

((6)) (7) The appropriations in this section shall be initially allotted as follows:

- (a) \$18,133,000 from federal funds for refugee assistance.
- (b) \$509,490,000, of which \$236,082,000 is from the general fund—state appropriation, for aid to families with dependent children—regular.
- (c) \$25,536,000, of which \$12,768,000 is from the general fund—state appropriation, for aid to families with dependent children—employable.
- (d) \$32,361,000 of the general fund—state appropriation for supplemental security income payments.
- (e) \$66,332,000, of which \$65,127,000 is from the general fund—state appropriation, for general assistance to unemployable persons.
- (f) \$2,982,000 of the general fund—state appropriation for general assistance to pregnant women.
- (g) \$10,954,000, of which \$5,477,000 is from the general fund—state appropriation, for the consolidated emergency assistance program.
- (h) \$3,061,000 of the general fund—state appropriation for burial assistance.
- (i) \$1,871,000, of which \$990,000 is from the general fund—state appropriation, for employment and training support.
- (j) \$2,788,000, of which \$279,000 is from the general fund—state appropriation, for work incentive payments.

Sec. 208. Section 59, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((350,300,000))
		368,391,000
General Fund Appropriation—Federal	\$	((231,464,000))
		241,426,000
Total Appropriation	\$	((589,852,000))
		609,817,000

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

(1) ~~\$((13,356,000))~~ 33,321,000, of which ~~\$((6,677,900))~~ 16,681,000 is from the general fund—state appropriation, is provided solely for medical assistance and limited casualty program coverage for persons in two-parent families who are categorically related to the aid to families with dependent children program, between July 1, 1983, and June 30, ~~((1984))~~ 1985. Additional funds appropriated under this section may be expended for the coverage during such period. The department shall amend its state plan under title XIX of the federal social security act in order to secure federal matching funds for the coverage during such period.

(2) Vendor rate adjustments for fee-for-service providers shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) The legislature finds and declares that rising hospital costs are a vital concern. Therefore, it is essential that an effective cost control program be pursued. The department shall pay for inpatient hospital services under the federal medicaid program through the use of rates that are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated providers to provide services in conformity with applicable state and federal laws, regulations, and quality and safety standards.

(4) \$7,000,000 of the general fund—state appropriation ~~((shall be placed in a reserve account. The department is directed to report to the legislature not later than January 1, 1984, on its methods for establishing inpatient hospital payment rates, the changes it anticipates in such rates during the fiscal year ending June 30, 1985, the reasons therefor, and any anticipated additional expenditures for inpatient hospital treatment during such fiscal year. No expenditure shall be made from the reserve account established in this subsection until specifically authorized by law))~~ is released from reserve status. These funds are provided solely for fiscal year 1985 hospital payments.

(5) The department is directed to seek increased participation of 3,000 additional recipients over those currently enrolled in health maintenance organizations and individual practice associations. By December 31, 1984, the department shall report to the legislature on progress in these efforts.

(6) The department shall establish by rule a system to ensure that the appropriations in this section are not expended to cover persons who are already covered by private or other public programs.

(7) The department shall provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.

(8) The department shall reimburse health care providers licensed under chapters 18.53, 18.71, 18.22, and 18.57 RCW for comparable services at equal rates.

Sec. 209. Section 60, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM	
General Fund Appropriation—State	\$ ((38,988,000))
	39,188,000
General Fund Appropriation—Federal	\$ 53,161,000
General Fund Appropriation—Local	\$ 5,016,000
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	\$ 20,000,000
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)—Reap- propriation	\$ 21,826,000
Total Appropriation	\$ ((138,991,000))
	139,191,000

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

(1) If federal moneys are received for state health planning purposes for the fiscal year ending June 30, 1985, an equal amount of the general fund—state appropriation shall lapse.

(2) \$1,261,000 is provided solely for poison control centers.

(3) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(4) \$250,000 of the general fund—state appropriation is provided solely for contracts on a competitive selection basis to public and private nonprofit nationally recognized academic or research organizations engaged in cancer research or in research concerning the effects of smoking on the cardiovascular and respiratory systems.

Sec. 210. Section 61, chapter 76, Laws of 1983 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	\$ ((14,051,000))
	14,028,000
General Fund Appropriation—Federal	\$ 25,602,000
Total Appropriation	\$ ((39,653,000))
	39,630,000

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

(1) \$1,000,000 of the general fund—state appropriation is provided solely for rehabilitation services to income assistance clients who are not severely disabled. Such services shall be provided through the use of available, unmatched state funds. The division of vocational rehabilitation shall facilitate rapid referral and eligibility determination and provide services to appropriate income assistance clients who do not meet federal regulations for priority services.

(2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

Sec. 211. Section 62, chapter 76, Laws of 1983 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	\$ ((55,494,000))
	55,118,000
General Fund Appropriation—Federal	\$ 41,060,000
General Fund—Institutional Impact Account Appropriation	\$ 75,000
Total Appropriation	\$ ((96,629,000))
	96,253,000

The appropriations in this section are subject to the following conditions and limitations: \$4,667,000, of which \$1,780,000 is from the general fund—state appropriation, is provided solely for the information resource management plan. This plan shall include among its top

priorities continuing 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 health services. Under this plan, the department of social and health services shall:

(1) Maintain the capability to provide the legislature with reports that analyze client, services delivery, and service cost data across all systems containing common client identifier information and provide unduplicated recipient counts and service histories;

(2) Incorporate the medicaid management information system into the common client identifier format;

(3) Develop rapid, flexible, and efficient data extraction and report generation; and

(4) Give priority to the following projects: (a) Community service management and operations system; (b) developmental disabilities management information system; (c) support enforcement management system; (d) automated birth certification system; and (e) mental health accounting system.

Sec. 212. Section 63, chapter 76, Laws of 1983 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	\$	((135,516,000))
		134,317,000
General Fund Appropriation—Federal	\$	((140,640,000))
		143,550,000
General Fund Appropriation—Local	\$	100,000
Total Appropriation	\$	((276,256,000))
		277,967,000

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

(1) \$350,000 of the general fund—state appropriation is provided solely for the victims of sexual assault program.

(2) \$608,000 of the general fund—state appropriation is provided solely for additional child protective service workers. These moneys shall be used to provide an additional 12.5 full time equivalent positions for a total of at least 237.2 for the fiscal year ending June 30, 1984, and an additional 16.2 full time equivalent positions for a total of at least 240.9 for the fiscal year ending June 30, 1985. ~~((Not later than December 1, 1983, the department shall submit a report to the social and health services and ways and means committees of the senate and house of representatives describing its compliance with the requirements of this subsection, indicating the average caseload of child protective service workers by region and state-wide, and indicating what level of funds would be required to achieve an average caseload of 30 cases per worker.))~~

(3) \$100,000 of the general fund—state appropriation is provided solely for grants to pay operating expenses of community-based private nonprofit social agencies that provide services to indigent families and senior citizens whose needs are not adequately met by government programs.

(4) \$427,000 of the general fund—state appropriation is provided solely for an increase in current staffing for family reconciliation services.

(5) \$2,181,000, of which \$1,283,000 is from the general fund—state appropriation, is provided solely for contracted training.

(6) \$235,000 of the general fund—state appropriation is provided solely for the council on child abuse prevention under chapter 43.121 RCW.

Sec. 213. Section 64, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REVENUE COLLECTIONS PROGRAM

General Fund Appropriation—State	\$	((11,867,000))
		11,801,000
General Fund Appropriation—Federal	\$	23,094,000
Total Appropriation	\$	((34,961,000))
		34,895,000

Sec. 214. Section 65, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS

General Fund Appropriation—State	\$	31,857,000
General Fund Appropriation—Federal	\$	((16,875,000))
		21,875,000
General Fund Appropriation—Local	\$	66,000
Total Appropriation	\$	((48,798,000))
		53,798,000

The appropriations in this section are subject to the following conditions and limitations: These general fund reappropriations shall be for services and supplies not in excess of the unexpended balances of the 1981-1983 appropriations for such purposes.

Sec. 215. Section 66, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((15,840,000))
		15,902,000
General Fund Appropriation—Federal	\$	2,237,000
General Fund Appropriation—Local	\$	3,336,000
Total Appropriation	\$	((21,413,000))
		21,475,000

The appropriations in this section are subject to the following conditions and limitations: ~~((200,000))~~ Not more than \$400,000 of the general fund—state appropriation is provided solely for assistance to veterans of the Viet Nam conflict, including counseling on delayed stress syndrome, employment training and placement, discharge review, advocacy and representation, education, and other services appropriate to assist such veterans in overcoming employment barriers and readjusting to civilian life.

Sec. 216. Section 67, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((2,735,000))
		6,596,000
General Fund Appropriation—Federal	\$	((53,568,000))
		107,217,000
Total Appropriation	\$	((56,303,000))
		113,813,000

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

(1) ~~((The appropriations in this section are for fiscal year 1984. Contingent on the provisions of chapter ... (ESHB 796), Laws of 1983 and chapter 43.00 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development.~~

~~((2))~~ (2) Not more than \$~~((419,000))~~ 856,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

~~((3))~~ (2) \$65,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ~~((... (SSB 3035)))~~ 231, Laws of 1983.

~~((4))~~ (3) \$~~((292,000))~~ 584,000 of the general fund—state appropriation, or so much thereof as may be necessary, shall be used for Mount St. Helens volcano zone enforcement patrol.

~~((5))~~ (4) \$~~((125,000))~~ 250,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

(5) \$176,000 of the general fund—state appropriation is provided solely for the purposes of an urban development action grant program.

(6) \$117,000 of the general fund—state appropriation is provided solely for the purposes of establishment of a community development finance program.

(7) \$92,000 of the general fund—state appropriation is provided solely for the administration of the weatherization program.

(8) \$30,000 of the general fund—state appropriation is provided for a study of the feasibility of retaining branch-line and other rail services by a county or counties desiring to conduct an election pursuant to chapter 36.60 RCW prior to December 31, 1984.

(9) \$500,000 of the general fund—state appropriation is provided solely to develop a matching program between the state, local, and regional economic development organizations. The department is responsible for the development and administration of the program consistent with chapter ... Laws of 1984 (Substitute Senate Bill No. 3238). \$350,000 of these funds must be matched with private business dollars expressly contributed for the purposes of the project for which application for matching funds is made. \$150,000 of these funds must be matched with public sector dollars in those geographical areas which are not served by a nonprofit local economic development organization.

(10) The sum of \$138,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided for the purposes of developing and maintaining an on-going evaluation system and to provide technical assistance to local government under chapter 231, Laws of 1983. If Engrossed Substitute Senate Bill No. 4404 is enacted into law, the amount provided in this subsection shall lapse.

(11) \$90,000 of the general fund—state appropriation is provided solely for a grant for the establishment of a state-wide coordinating center to provide training and technical support for city governments and business organizations involved in the community and economic revitalization and redevelopment of older downtown neighborhoods using the techniques developed by the National Trust for Historic Preservation National Main Street Center. Not later

than December 1, 1985, the agency shall report to the legislature on current and anticipated economic benefits of the revitalization program assisted under this appropriation. Special attention shall be given to the amount of new investment in the building rehabilitation projects, the participants' capacity to match funds, the number of new businesses locating in participating downtown areas, and other factors reflecting the economic health of the business communities involved.

(12) The 1984 amendments to this section are contingent on the enactment of Substitute Senate Bill No. 3238.

Sec. 217. Section 68, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((2,968,000))
		2,957,000
General Fund Appropriation—Federal	\$	941,000
Total Appropriation	\$	((3,909,000))
		3,898,000

The appropriations in this section are subject to the following conditions and limitations: Funds appropriated in this section may be expended to carry out the purposes of chapter ..., Laws of 1984 (Substitute Senate Bill No. 4623).

Sec. 218. Section 70, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—Criminal Justice Training Account Appropriation	\$	((6,054,000))
		6,654,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$161,000 is provided solely for the crime watch program.

(2) \$170,000 is provided solely for support of the programs of the Washington association of sheriffs and police chiefs in assisting the commission to carry out RCW 43.101.180.

(3) \$300,000 is provided solely for transmission to the Washington state patrol, to be distributed by the state patrol to local law enforcement agencies for the purchase of controlled substances in connection with undercover investigations by the local law enforcement agencies.

(4) \$300,000 is provided solely for drug enforcement training.

Sec. 219. Section 71, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((5,770,000))
		5,749,000
General Fund—Crime Victims Compensation Account Appropria- tion	\$	7,345,000
Accident Fund Appropriation—State	\$	50,539,000
Accident Fund Appropriation—Federal	\$	51,000
Electrical License Fund Appropriation	\$	5,347,000
Medical Aid Fund Appropriation	\$	48,354,000
Plumbing Certificate Fund Appropriation	\$	255,000
Pressure Systems Safety Fund Appropriation	\$	758,000
Total Appropriation	\$	((118,419,000))
		118,398,000

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) Not more than \$50,000 of the accident fund appropriation and \$50,000 of the medical aid fund appropriation shall be expended for a study of the feasibility of consolidating the department's Olympia-area offices in one building, including the options of leasing, acquiring, or constructing such building. No state general fund moneys may be expended for this study. ~~((The department shall report to the legislature on the findings of the study by January 15, 1984.))~~

Sec. 220. Section 72, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation	\$	((2,975,000))
		2,966,000

Sec. 221. Section 73, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((357,000))
		356,000
General Fund—Hospital Commission Account Appropriation	\$	1,086,000

Total Appropriation \$ ~~((1,443,000))~~
1,442,000

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

(1) The commission is directed to perform aggressive rate review of individual hospital services to ensure control of rising hospital costs and efficient and economic delivery of hospital health care services.

(2) Not later than December 1, ~~((1983))~~ 1984, the commission shall report to the legislature on current and anticipated hospital cost inflation. The report shall include an analysis of the components of hospital operating costs and changes in those costs, together with reasons for each major change. Special attention shall be given to cost components which increase at a rate greater than inflation in the general economy of the state.

Sec. 222. Section 74, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State \$ ~~((2,654,000))~~
2,650,000
General Fund Appropriation—Federal \$ 133,049,000
General Fund Appropriation—Local \$ 17,159,000
Administrative Contingency Fund
Appropriation—Federal \$ 6,638,000
Unemployment Compensation Administration Fund Appropriation \$ 92,543,000
Total Appropriation \$ ~~((252,043,000))~~
252,039,000

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

(1) \$786,000 is provided solely for the ex-offender work orientation program to serve a minimum of 1,094 ex-offenders in the community, and provide work orientation to a minimum of 500 offenders pending release. Services to offenders in addition to those provided under the appropriations in this section may be provided upon reimbursement by the department of corrections at the rate of \$605 per participant.

(2) \$313,000 is provided solely for the career awareness program to provide services to 371 ex-offenders. Services may be provided to additional ex-offenders upon reimbursement by the department of corrections at the rate of \$844 per participant.

(3) The employment security department, through the youth employment exchange or other programs, shall provide for the recruitment of corps members and the receipt of federal funds for the conservation corps established under Engrossed Second Substitute Senate Bill No. 3624.

(4) \$600,000 from the general fund—state appropriation shall be used solely for contracting with other agencies for carrying out the purposes of chapter ~~((= (255B-3624)))~~ 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) In administering the work incentive program under chapter 74.23 RCW, the department shall emphasize efforts to prepare registrants for long-term unsubsidized employment and economic independence. To the maximum extent permissible under federal law, and to the maximum extent to which exceptions to limitations on training duration may be obtained from the federal government, the department shall permit registrants to enter or continue in training programs that are aimed at preparing them for long-term unsubsidized employment and economic independence.

Sec. 223. Section 75, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ~~((COMMISSION))~~ DEPARTMENT OF SERVICES FOR THE BLIND

General Fund Appropriation—State \$ ~~((1,682,000))~~
1,676,000
General Fund Appropriation—Federal \$ 3,415,000
Total Appropriation \$ ~~((5,097,000))~~
5,091,000

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

The ~~((commission))~~ department of services for the blind shall report in writing by December 1, 1984, to the committees on ways and means of the senate and the house of representatives on the economy and effectiveness of the orientation and training center. The report shall include, but not be limited to, analysis of the characteristics of the clients and the target population, curriculum content and practices, client tracking after leaving the center, number of persons served, costs per client, and program costs.

Sec. 224. Section 76, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CORRECTIONS STANDARDS BOARD

General Fund Appropriation—State	\$	((512,000)) 770,000
General Fund—Local Jail Improvement and Construction Account		
Appropriation	\$	113,124,000
Total Appropriation	\$	((113,636,000)) 113,894,000

The appropriations in this section are subject to the following conditions and limitations: \$200,000 of the general fund—state appropriation is provided solely for a one-time grant to the King County department of public safety for a text management system to be used by the Green River task force homicide investigation. The text management system shall be made available for use by law enforcement agencies of the state through interagency agreements.

Sec. 225. Section 77, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SENTENCING GUIDELINES COMMISSION

General Fund Appropriation	\$	((551,000)) 548,000
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PART III
NATURAL RESOURCES

Sec. 301. Section 78, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	((1,104,000)) 1,103,000
General Fund Appropriation—Federal	\$	13,032,000
General Fund Appropriation—Private/Local	\$	60,000
General Fund—Geothermal Account Appropriation	\$	76,000
Total Appropriation	\$	((14,196,000)) 14,271,000

Sec. 302. Section 80, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	((20,937,000)) 20,655,000
General Fund Appropriation—Federal	\$	9,910,000
General Fund—Special Grass Seed Burning Research Account		
Appropriation	\$	68,000
General Fund—Reclamation Revolving Account Appropriation	\$	999,000
General Fund—Litter Control Account Appropriation	\$	4,310,000
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)	\$	14,511,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	60,923,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	1,051,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	8,788,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	1,926,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	9,343,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	((16,711,000)) 2,211,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 38)	\$	15,805,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	67,589,000

General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Reappropriation (Referendum 39)	\$	265,858,000
Game Fund Appropriation	\$	76,000
Total Reappropriation	\$	360,717,000
Total New Appropriation	\$	((138,288,000))
		123,506,000
Total Appropriation	\$	((499,005,000))
		484,223,000

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

(1) On or before October 1, 1983, the department of ecology shall file with the committees on ways and means of the senate and house of representatives and the office of financial management a master compilation by project type of those projects proposed for funding during the 1983-85 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 and the office of financial management at six-month intervals during the 1983-85 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 and the office of financial management 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 and the office of financial management of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities. In the event that the department does not comply fully and in a timely manner with the several compilations, updates, and modification reports required by this subsection, the director of the office of financial management is authorized to place in reserve the second year funds allotted to the department until such time as the documents are produced and distributed as directed herein.

(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) No grant or loan or combination thereof shall be made for preconstruction activities for projects which cannot be constructed without an increase in the remaining voter authorized bond capacity.

(6) \$985,000 of the general fund—state appropriation is provided for grants to activated air pollution control authorities.

(7) \$68,000 of the general fund—special grass seed burning research account appropriation shall be expended for funding of a grass burning research project by the University of Washington.

(8) \$1,500,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter (~~((= (255B 3624)))~~) 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund: PROVIDED FURTHER, That costs for statutorily mandated residential survey and recycling programs undertaken by the department in connection with the conservation corps program are to be excluded from this calculation.

(9) \$85,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter (~~((= (SSB 3156)))~~) 243, Laws of 1983.

(10) (~~((If House Bill No. 595 is enacted before July 1, 1983, the general fund—state and local improvements revolving account—water supply facilities appropriation shall be reduced by \$14,500,000.~~

(H)) The department may operate, and seek and accept grants or gifts for the purpose of operating and maintaining, the Padilla Bay estuarine sanctuary and interpretive center.

((H2)) (1) \$152,000, of which \$76,000 is from the game fund appropriation and \$76,000 is from the general fund—federal appropriation, shall be expended for the maintenance and security of Padilla Bay estuarine sanctuary.

((H3) if either Substitute House Bill No. 712 or Second Substitute Senate Bill No. 3722 is enacted before July 1, 1983, the general fund—state appropriation shall be reduced by \$540,000:))

(12) \$200,000 of the general fund—state appropriation is provided solely for flood management planning.

(13) \$50,000 of the general fund—state appropriation is provided solely for an environmental permit tracking system.

Sec. 303. Section 81, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation \$ ~~((712,000))~~
710,000

Sec. 304. Section 83, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State \$ ~~((27,927,000))~~
28,826,000

General Fund Appropriation—Private/Local \$ 566,000

General Fund—Trust Land Purchase Account Appropriation \$ 7,694,000

General Fund—Winter Recreation Parking Account Appropriation \$ 156,000

General Fund—Snowmobile Account Appropriation \$ 681,000

General Fund—Outdoor Recreation Account Appropriation \$ 152,000

Motor Vehicle Fund Appropriation \$ 800,000

Total Appropriation \$ ~~((37,976,000))~~
38,875,000

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

(1) The commission shall operate the state park system on a modified schedule that will allow for management closures that will facilitate maximum park maintenance efforts.

(2) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ~~((255B-3624))~~ 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(3) \$962,000 of the general fund—state appropriation is provided solely for reimbursement to the tort claim revolving fund.

(4) \$79,000 of the general fund—state appropriation is provided solely for the second year funding of the boating safety program.

Sec. 305. Section 86, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation \$ ~~((3,086,000))~~
7,707,000

The appropriation in this section is subject to the following conditions and limitations: ((The appropriations are for expenditure by the department of commerce and economic development in fiscal year 1984. Contingent on the provisions of chapter (ESHB 796), Laws of 1983 and chapter 43-88 RCW, any unexpended funds at the end of this period shall be transferred to the department of economic and community development:))

(1) Not more than \$2,287,000 may be expended for the tourism program in fiscal year 1985. \$750,000 of this amount is provided solely for the establishment of a private-sector state matching program. State funds may only be released on a dollar-for-dollar matching basis with private industry. The department is responsible for the development and administration of the program.

(2) Not more than \$573,000 may be expended for the administration program in fiscal year 1985.

(3) \$538,000 is provided solely for the foreign trade program in fiscal year 1985.

(4) \$1,031,000 is provided solely for the industrial development program in fiscal year 1985.

(5) \$150,000 is provided solely for the small business program in fiscal year 1985.

(6) All personal service contracts for fiscal year 1985 that, in the aggregate, are over \$10,000 shall be approved by the director of financial management and submitted to the chairmen of the house and senate ways and means committees prior to the approval.

(7) The department is authorized to transfer from the surplus of the state trade fair fund not more than \$270,000 to be used within the foreign trade program for uses authorized under RCW 43.31.832.

(8) \$40,000 is provided solely for a grant for the development of a project which seeks to stimulate public support for and understanding of this state's increasing international trade activity.

(9) \$40,000 is provided solely for the department to contract with the department of ecology for provision of professional assistance to firms confronting federal, state, and local requirements related to the acquisition of necessary permits and environmental approvals.

(10) The 1984 amendments to this section are contingent on the enactment of Senate Bill No. 3238.

Sec. 306. Section 87, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((38,614,000))
		38,635,000
General Fund Appropriation—Federal	\$	6,580,000
General Fund Appropriation—Private/Local	\$	2,083,000
Total Appropriation	\$	((47,277,000))
		47,298,000

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

(1) \$285,000 of the general fund appropriation, of which \$191,000 shall be from federal funds, or so much thereof as may be necessary, shall be expended for enhancement of the marine fish program.

(2) \$109,000 of the general fund—state appropriation shall be expended for the enhancement of the shellfish program.

(3) \$495,000 of the general fund—state appropriation shall be expended for additional salmon production.

(4) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ~~((= (2SSB 3624)))~~ 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) \$140,000 of the general fund—state appropriation is provided solely for razor clam research.

(6) \$75,000 of the general fund—state appropriation is provided solely for a pilot enforcement project on Hood Canal. No more than two enforcement officers and all necessary support costs including equipment shall be dedicated to law enforcement on Hood Canal.

Sec. 307. Section 89, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((26,380,000))
		27,065,000
General Fund Appropriation—Federal	\$	451,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	((2,096,000))
		2,311,000
General Fund—Forest Development Account Appropriation	\$	10,373,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,539,000
General Fund—Survey and Maps Account Appropriation	\$	671,000
General Fund—Resource Management Cost Account Appropriation	\$	((61,067,000))
		60,692,000
General Fund—Geothermal Account Appropriation	\$	76,000
Total Appropriation	\$	((102,577,000))
		103,178,000

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

(1) ~~(((\$4,727,000 of the general fund—state appropriation shall be expended for the general administration program. Of this amount:))~~ \$1,100,000 ~~((shall be used))~~ of the general fund—state appropriation is provided solely to carry out the purposes of chapter ~~((= (2SSB 3624)))~~ 40, Laws of 1983 ~~((:))~~ 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(2) ~~\$50,000 ((shall be used)) of the general fund—state appropriation is provided solely to conduct a study of the continuous transfer of material and products across state lands((and \$145,000)).~~

(3) ~~\$438,000 of the general fund—state appropriation shall be used solely for the department of natural resources to ((vacate the first floor of the)) move from the house office and public lands buildings.~~

~~((2) Not more than \$11,239,000 of the general fund—state appropriation shall be expended for the forest fire control program.~~

~~(3) Not more than \$6,787,000 of the general fund—state appropriation shall be expended for the assistance and regulation program.~~

~~(4) Not more than \$3,627,000 of the general fund—state appropriation shall be expended for the services program. Of this amount:)) (4) Not more than \$843,000 of the general fund—state appropriation shall be used to fund ten additional honor camp teams. ((Funds used within this program for surveying shall be limited to the establishment of boundaries of state property.))~~

Sec. 308. Section 90, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((+166,000))
		11,271,000
General Fund Appropriation—Federal	\$	626,000
General Fund—Feed and Fertilizer Account Appropriation	\$	17,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	((364,000))
		360,000
Commercial Feed Fund Appropriation—State	\$	((365,000))
		361,000
Commercial Feed Fund Appropriation—Federal	\$	13,000
Seed Fund Appropriation	\$	((+029,000))
		1,011,000
Nursery Inspection Fund Appropriation	\$	((345,000))
		449,000
Total Appropriation	\$	((+2,925,000))
		14,108,000

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

(1) \$156,000 from the general fund—state appropriation shall be used to enhance the pesticide field investigations.

(2) \$60,000 from the general fund—state appropriation shall be used to enhance consumer services within the agricultural development program.

(3) \$300,000 from the general fund—state appropriation shall be used to establish a marketing program for the Washington wine industry and the department of agriculture shall present a proposal to the forty-ninth legislature which establishes a wine commodity commission.

(4) \$600,000 from the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ~~((= (2SSB 3624)))~~ 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) \$104,000 is provided solely for a food bank coordinator and related costs.

(6) \$475,000 of the general fund—state appropriation is provided solely for the gypsy moth and apple maggot detection and control program. Aerial gypsy moth eradication shall be limited to biological control agents.

Sec. 309. Section 92, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON CENTENNIAL COMMISSION

General Fund Appropriation	\$	((226,000))
		225,000

NEW SECTION. Sec. 310. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE EXPO '86 COMMISSION

General Fund—State Appropriation	\$	320,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$130,000 is provided solely for operational purposes.

(2) \$190,000 of the appropriation is provided solely for the initial planning and design for exhibition space and facilities for Washington state participation in the exposition, provided that not more than \$10,000 of this amount shall be spent on studies and specifications relating to the use of a ferry-type vessel as a part of the exhibition space.

PART IV
TRANSPORTATION

Sec. 401. Section 93, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State \$ ~~((+1,487,000))~~
11,783,000

The appropriation in this section is subject to the following conditions and limitations:

(1) ~~S((+400,000))~~ 1,610,000 is provided solely for the narcotics section, as authorized by RCW 43.43.610 and 43.43.620 and shall be limited to providing information to law enforcement agencies in the state on narcotic and drug law violations and providing investigative assistance on matters of state-wide concern.

(2) ~~S((600,000))~~ 712,000 is provided solely for the organized crime intelligence unit, as authorized by RCW 43.43.854 and shall be limited to intelligence gathering activities which assist law enforcement agencies and prosecutors in cases of state-wide significance.

Sec. 402. Section 94, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation \$ ~~((+2,077,000))~~
12,798,000

General Fund—Architects' License Account Appropriation \$ 373,000

General Fund—Optometry Account Appropriation \$ 119,000

General Fund—Professional Engineers' Account Appropriation \$ 602,000

General Fund—Real Estate Commission Account Appropriation \$ 4,591,000

General Fund—Board of Psychological Examiners Account Appropriation \$ 66,000

Game Fund Appropriation \$ 187,000

Highway Safety Fund Appropriation \$ ~~((36,582,000))~~
38,415,000

Highway Safety Fund—Motorcycle Safety Education Account Appropriation \$ 237,000

Motor Vehicle Fund Appropriation \$ ~~((34,693,000))~~
35,233,000

Total Appropriation \$ ~~((89,527,000))~~
92,621,000

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

(1) \$450,000 of the general fund appropriation is provided solely for the design and development of a Uniform Commercial Code automated lien filing and search system. If other legislation authorizing expenditures for a Uniform Commercial Code automated lien filing and search system is enacted before July 1, 1983, the general fund—state appropriation in this section shall be reduced by the amount actually expended under the other legislation.

(2) \$66,446 is provided solely for the department of licensing to employ competent persons on a temporary basis to assist the dental hygiene examination committee in conducting examinations for dental hygiene licensure. The dental hygiene examination committee shall be reimbursed pursuant to RCW 43.03.050.

(3) If House Bill No. 1698 or similar legislation delaying the implementation of chapter 72, Laws of 1983, is enacted prior to July 1, 1984, the motor vehicle fund state appropriation shall be reduced by \$510,000.

(4) \$1,833,000 of the highway safety fund appropriation is provided solely for the purposes of chapter 165, Laws of 1983, and is subject to the following conditions and limitations:

(a) \$478,000 of the amount in this subsection (4) is provided solely for attorney general services. No other moneys may be spent for this purpose.

(b) The department of licensing shall maintain complete and separate accounting and reporting systems for expenditures under this subsection (4).

(c) If Substitute House Bill No. 977, or other legislation delaying the effective date of section 47, chapter 165, Laws of 1983, is enacted before July 1, 1984, the amounts provided in this subsection (4) shall lapse. The appropriation contained in this subsection (4) shall be reduced to \$180,000 if legislation is enacted which delays the effective date of section 47, chapter 165, Laws of 1983 and establishes a program that requires the following:

(i) Confiscation of a driver's license at the time of arrest for a violation of RCW 46.61.402 or 46.61.405; and

(ii) Issuance of a temporary license by the arresting officer.

NEW SECTION. Sec. 403. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

Motor Vehicle Fund Appropriation—Federal \$ 200,000

General Fund Appropriation \$ 100,000

Total Appropriation \$ 300,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided for a cooperative study between the department of transportation and the Washington public ports association to develop a long-range strategic planning document for each mode of transportation and its impact on future economic growth in the state. The study shall recognize the interrelationship between the modes and the integrated nature of the transportation network, in that any changes, new developments, or problems which occur in one mode impact all other modes. The study shall include, but not be limited to: An assessment of the reasons for the current and projected changes in transportation patterns, modal shifts and locational influences; the impact on the highway network due to deregulation of rail and motor carriers, continued abandonment of rail lines, and the increasing demands for port development and navigable waterway system expansion; the effect of new marketing techniques and efficiencies on terminal consolidation; and the need for adequate accessibility to port areas. The appropriations are contingent upon agreement by the Washington public ports association to contribute additional financial support for this project in an amount not less than fifteen percent of the total funds appropriated in this section. The department of transportation and Washington public ports association shall solicit financial and technical support from other sources in the governmental and private sectors.

PART V
EDUCATION

Sec. 501. Section 96, chapter 76, Laws of 1983 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	\$	((13,361,000))
		15,989,000
General Fund Appropriation—Federal	\$	6,540,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((20,361,000))
		22,989,000

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

(1) Not more than \$460,000 may be expended for the state office administration of the traffic safety education program, including inservice training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) Not more than \$244,882 of the general fund—state appropriation shall be expended for a program to provide additional inservice training for math, science, and computer technology instructors.

(3) \$30,000 dollars of the general fund—state appropriation is provided for additional meetings and travel by the state board of education.

(4) \$819,000 is provided solely for the implementation of House Bill No. 1246 during the 1984-85 school year. The funds shall be allocated as follows:

(a) A maximum of \$179,000 for Model Curriculum Development.

(b) A maximum of \$150,000 for a Life Skills Test Model.

(c) A maximum of \$300,000 for a Student Retention Pilot Project.

(d) A maximum of \$150,000 for 8th grade test development.

(e) A maximum of \$40,000 for an 11th grade test sample.

(5) \$1,796,000 is provided solely for the implementation of House Bill No. 1660 during the 1984-85 school year. The funds shall be allocated as follows:

(a) A maximum of \$50,000 for a Campus Education Research Center.

(b) A maximum of \$350,000 for School Improvement Research Projects.

(c) A maximum of \$50,000 for an SPI clearinghouse.

(d) A maximum of \$200,000 for School Self Study.

(e) A maximum of \$50,000 for Building Based Management Pilot Programs.

(f) A maximum of \$75,000 for an Administrator Training Academy Plan.

(g) A maximum of \$12,000 for Teacher Excellence Awards.

(h) A maximum of \$50,000 for Supervision of Student Teacher Pilot Programs.

(i) A maximum of \$200,000 for a Graduate Teacher Preparation Plan.

(j) A maximum of \$80,000 for Teacher Competency Test Development.

(k) A maximum of \$75,000 for an Educator Salary Study.

(l) A maximum of \$40,000 for In-Service Credit Equivalency Development.

(m) A maximum of \$564,000 for Staff Development Plans.

(6) \$20,000 is provided solely for an exemplary study to be conducted by at least the Rosalia, Tekoa, Oakesdale, Garfield and St. John school districts to examine means by which these and other small school districts may utilize cooperative and multi-district efforts to provide programs for educational excellence in small districts.

Sec. 502. Section 97, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985

General Fund Appropriation \$ ~~(2,917,618.000)~~
2,917,618.000

The appropriation in this section is subject to the following conditions and limitations:

(1) As a condition to the allocation of funds to school districts appropriated pursuant to this section, the superintendent of public instruction shall require school districts to ensure that no salary and compensation increases for the 1984-85 school year from any fund source whatsoever are in excess of those amounts for state recognized increments, insurance benefit increases, and/or for those identified salary increases as specified in this act: PROVIDED, That any state recognized increment increase, insurance benefit increase, and/or salary increase found to be greater than that specified in this act shall be in violation of the conditions to the receipt of funds appropriated in this act for school districts; therefore, the superintendent of public instruction shall withhold an amount equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance: PROVIDED FURTHER, That the superintendent of public instruction shall additionally require school districts to ensure that no recognized group of employees as identified in RCW 28A.58.095 shall increase their relative total salary or insurance benefit position at the expense of any other recognized group of employees using the district's authorized total salary and benefit increase allocation for the 1984-85 school year. Any such group of employees which has clear and convincing evidence that its district is in violation of this proviso may present such clear and convincing evidence in a challenge to the superintendent of public instruction, who shall determine the validity of the group's challenge. If sustained, the district shall be deemed in violation of the conditions to the receipt of funds appropriated in this act for school districts and the superintendent of public instruction shall withhold an amount in addition to any funds withheld pursuant to the preceding provision equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance.

(2) 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-fourths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction: PROVIDED, That in skill centers, the ratio shall be one certificated staff unit for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in an approved vocational education program.

(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;

(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.

(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.

(3) (a) For nonemployee related costs with each certificated staff unit determined under subsection (2) (a), (c), and (d) of this section, there shall be provided a maximum of \$5,287 per

staff unit in the 1983-84 school year and a maximum of ~~\$(5,562)~~ 5,462 per staff unit in the 1984-85 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (2)(b) of this section, there shall be provided a maximum of \$10,074 per staff unit in the 1983-84 school year and a maximum of ~~\$(10,590)~~ 10,408 per staff unit in the 1984-85 school year.

(4) 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 (2) (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.

(5) The superintendent shall distribute a maximum of ~~\$(15,266,000)~~ 17,088,000 outside the basic education formula as follows:

(a) A maximum of ~~\$(626,000)~~ 636,000 may be distributed to school districts for fire protection at a rate of \$1.056 in fiscal year 1984 and \$1.119 in fiscal year 1985 for each student attending a school located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) A maximum of \$1,650,000 may be expended for operation of vocational programs at each of the skill centers during the summer months, beginning in 1983.

(c) A maximum of \$272,000 may be distributed for school district emergencies.

(d) A maximum of ~~\$(4,366,000)~~ 3,613,000 may be expended for districts which experience an enrollment decline of at least four percent or more than three hundred full time equivalent students, whichever is less, from the enrollment of the prior year. For a qualifying district, the superintendent of public instruction shall increase the enrollment as otherwise computed by twenty-five percent of the full time equivalent enrollment loss from the previous school year.

(e) A maximum of \$3,720,000 in fiscal year 1984 and ~~\$(4,656,000)~~ 7,197,000 in fiscal year 1985 may be expended for substitute teachers. Funds shall be distributed to school districts at a rate not to exceed \$150 per year per full time equivalent classroom teacher in the basic education and handicapped programs for 1983-84 and \$250 per year for 1984-85.

(6) For the 1982-83 school year, if a school district is in violation of RCW 28A.58.095 the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation, applied to the district's basic education allocation.

Sec. 503. Section 101, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CERTIFICATED STAFF COMPENSATION

(1) The certificated compensation allocation for school year 1983-84 shall be the sum of the following subsections:

(a) Maintenance of compensation shall be calculated using each district's 1982-83 base salary established in LEAP Document 5 times the number of certificated staff units generated in section 97 (2) (a) through (d) of this act in each district times each district's particular 1982-83 average staff mix factor improved by 7.43%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 97 (2) (a) through (d) of this act.

(2) The certificated compensation allocation for school year 1984-85 shall be the sum of the following subsections:

(a) Maintenance of compensation calculated by using each district's 1982-83 base salary established in LEAP Document 5 times the number of staff units generated in section 97 (2) (a) through (d) of this act times each district's particular 1983-84 average staff mix factor improved by 7.66%;

(b) Health benefits shall be calculated at the rate of \$137 per month per certificated full time equivalent staff units generated in section 97 (2) (a) through (d) of this act.

Sec. 504. Section 102, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CLASSIFIED STAFF COMPENSATION

(1) The 1983-84 basic education classified compensation allocation for each district shall be the sum of the following subsections:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 97 (4) (a) through (c) of this act, times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.55%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 97 (4) (a) through (c) of this act.

(2) The 1984-85 basic education classified compensation allocation for each district shall be the sum of the following:

(a) Maintenance of classified compensation shall be calculated using the staff units generated in section 97 (4) (a) through (c) of this act, times each district's 1982-83 average classified salary, established in LEAP Document 5, improved by 16.78%;

(b) Health benefits shall be calculated at the rate of \$137 per month per classified full time equivalent staff units generated in section 97 (4) (a) through (c) of this act.

Sec. 505. Section 103, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES

General Fund Appropriation \$ ~~((71,983,000))~~
77,328,000

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 provided by this section shall be distributed by the superintendent of public instruction as specified in this section on an allocation basis only and may be expended by school districts for any state-funded activity.

(3) A maximum of \$~~((26,110,000))~~ 26,311,000 shall be distributed for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$22 per month per full time equivalent staff unit in the 1983-84 school year and such amount shall be maintained in the 1984-85 school year.

(4) A maximum of \$4,286,000 shall be distributed in the 1984-85 school year for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$8 per month per full time equivalent staff unit.

(5) (a) A maximum of \$~~((9,703,000))~~ 10,185,000 is provided, effective ~~((November 1, 1984))~~ January 1, 1985, for incremental fringe benefits in section 98(2) of this act and ~~((5.0%))~~ 7.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff as defined in section 98(1) of this act. With respect to the remaining state-supported classified staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a ~~((5.0%))~~ 7.0% salary increase using the pertinent program state-wide average salary for such staff.

(b) The salary increase authorized by subsection ~~((4)(a))~~ (5)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

(c) During the 1983-84 school year, the superintendent of public instruction, as part of the regular classified data reporting process, shall collect data regarding the length of service of each basic education classified employee in their particular job classification. The superintendent of public instruction shall submit a report to the legislature prior to March 1, 1984, regarding the proposed allocation methodology as required by subsection ~~((4)(d))~~ (5)(d) of this section. Such a report shall consider present practices by the state personnel board in granting increments.

(d) The superintendent of public instruction shall, during the 1984-85 school year, allocate \$400,000 of the funds allocated by subsection ~~((4)(a))~~ (5)(a) of this section to each district in accordance with its particular 1983-84 complement of staff.

(e) Pursuant to RCW 84.52.0531(3), any school district having an average classified salary as shown on LEAP Document 5 of less than \$16,513 for the 1982-83 school year may grant salary increases to classified staff in the 1983-84 school year to achieve a maximum average classified salary of \$16,513. For purposes of allocating basic education funds in the 1984-85 school year, the superintendent shall modify LEAP Document 5 to reflect any increases given in accordance with this provision.

(f) A district shall not be in violation of RCW 28A.58.095 as a result of reporting revised staff mix data for the 1983-84 school year in accordance with the revised S-275 staff mix reporting instructions promulgated by the superintendent of public instruction. For 1984-85, the superintendent of public instruction shall modify LEAP Document 5 to assure that the average certificated salary for a district shall neither increase nor decrease for apportionment purposes as a result of this subsection (5)(f).

~~((5))~~ (6) (a) A maximum of \$~~((36,162,000))~~ 36,540,000 is provided effective ~~((November 1, 1984))~~ January 1, 1985, for incremental fringe benefits in section 98(2) of this act and ~~((5.0%))~~ 7.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times the district's ~~((1993-84))~~ 1983-84 staff mix factor (as defined in section 99(3) of this act) for state-supported basic education staff as defined in section 98(1) of this act. With respect to the remaining state-supported certificated staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a ~~((5.0%))~~ 7.0% salary increase times the pertinent state-wide average derived base salary improved by the 1983-84 staff mix of each district for such staff.

(b) The salary increase authorized by subsection ~~((5)(a))~~ (6)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

~~((6))~~ (7) For purposes of RCW 28A.58.095, the following conditions and limitations apply:

(a) The sum of salary and insurance benefit increases granted by each school district for nonstate-supported staff shall not exceed those specified for state-supported staff of a district.

~~((c)) (b) Increments granted by school districts to certificated staff in the year in which the increments are given by a district 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 pursuant to LEAP Document 1.~~

~~(c) Salary increases provided by this section shall be applied to the respective district base salaries for certificated staff and the respective district average salaries for classified staff, each as specified in LEAP Document 5 as revised in accordance with this act.~~

~~(d) During the 1984-85 school year, districts may grant increases in insurance benefits to achieve a rate of \$179.00 per month per full time equivalent staff unit.~~

~~(e) For the 1984-85 school year, for the purpose of insurance benefit increases for classified employees, a full time equivalent employee is an employee contracted to work 1,440 hours per year or more. The superintendent shall perform a study of the number of eligible employees to be classified as full time equivalent employees for insurance benefits, and shall prepare a recommended funding method to present to the 1985 session of the legislature. It is intended that the superintendent of public instruction shall distribute funds during July and August, 1985 to support such increases for classified entitlement in state-funded programs as defined in section 98(1) of this act.~~

Sec. 506. Section 104, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation \$ ~~((166,874,000))~~
171,057,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of ~~\$((79,364,000))~~ 75,110,400 may be expended in the 1983-84 fiscal year.

(2) A maximum of \$712,000 may be expended for regional transportation coordinators.

(3) A maximum of \$53,000 may be expended for driver training.

~~(4) (a) A maximum of \$1,746,400 shall be allocated as specified in subsection (4)(b) of this section in the 1983-84 fiscal year to only those school districts that, assuming the 1983-84 formula operating allocation was funded at one hundred percent, would receive less than sixty-five percent of their respective 1982-83 transportation operating expenditures. This one-time appropriation shall be for transition purposes to give these districts time to eliminate operating inefficiencies.~~

~~(b) An eligible district shall receive money sufficient to either restore its preliminary allocation specified by bulletin 24-83 or the difference between its 1982-83 operating expenditures at sixty-five percent and the 1983-84 formula operating allocation calculated at one hundred percent, whichever is less.~~

~~(5) The superintendent of public instruction is directed to report to the ways and means committees of both houses no later than September 1, 1984, identifying:~~

~~(a) The specific problems associated with the implementation of chapter 61, Laws of 1983 1st ex. sess. (Substitute House Bill No. 296) which resulted in a transportation funding shortfall in many school districts during the 1983-84 school year.~~

~~(b) The steps which the superintendent is following to alleviate all such shortfalls in 1983-84 transportation allocations and to prevent similar problems from occurring in future school years.~~

~~(c) A plan to retroactively reimburse in the 1985 supplemental budget those districts whose transportation programs were underfunded in the 1983-84 school year due to the problems of implementing chapter 61, Laws of 1983 1st ex. sess. (Substitute House Bill No. 296).~~

Sec. 507. Section 105, chapter 76, Laws of 1983 1st 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 \$ ~~((53,586,000))~~
53,440,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1983-84 school year appropriation is based on an enrollment of 10,638 full time equivalent students at a state support level per student of \$2,461, not including salary and insurance benefit increases.

(b) The 1984-85 school year appropriation is based on an enrollment of 11,255 full time equivalent students at a state support level per student of ~~\$((2,491))~~ 2,480, not including salary and insurance benefit increases.

(2) Not more than \$619,000 of this appropriation may be expended for adult education.

Sec. 508. Section 107, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State \$ ~~((271,088,000))~~
279,215,000

General Fund Appropriation—Federal	\$	27,641,000
Total Appropriation	\$	((298,729,000)) 306,856,000

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

(1) A maximum of ~~\$((125,586,000))~~ 129,914,000 of the general fund—state appropriation may be expended in fiscal year 1983-84.

(2) The superintendent of public instruction shall allocate funds in accordance with LEAP Document 6 for school year(s) 1983-84 and LEAP Document 6 revised as of March 5, 1984, for 1984-85.

(3) The superintendent shall establish a new system for district reporting of preschool handicapped enrollment which results in uniform reporting consistent with attendance laws and rules.

(4) For allocation of funds for the 1984-85 school year, the superintendent of public instruction shall exclude specific learning disabilities as one of the categories for classification as multiple handicapped.

(5) In the 1984-85 fiscal year the superintendent may transfer funds from this section to section 511 of this 1984 act to the extent that specific learning disabled category E enrollment is less than 6,532 students. Any such transfer shall be at a rate of \$300 per student.

Sec. 509. Section 109, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((4,807,000)) 6,641,000
State Funding Sources	\$	((3,664,000)) 1,830,000
Total Appropriation	\$	8,471,000

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	\$((609,000)) 914,000	\$((610,000)) 305,000
E.S.D. No. 105	\$((584,000)) 730,000	\$((292,000)) 146,000
E.S.D. No. 112	\$((491,000)) 737,000	\$((492,000)) 246,000
E.S.D. No. 113	\$((524,000)) 787,000	\$((525,000)) 262,000
E.S.D. No. 114	\$((451,000)) 564,000	\$((226,000)) 113,000
E.S.D. No. 121	\$((429,000)) 644,000	\$((430,000)) 215,000
E.S.D. No. 123	\$((569,000)) 712,000	\$((285,000)) 142,000
E.S.D. No. 171	\$((696,000)) 871,000	\$((349,000)) 174,000
E.S.D. No. 189	\$((454,000)) 682,000	\$((455,000)) 227,000
Total	\$((4,807,000)) 6,641,000	\$((3,664,000)) 1,830,000

(2) For the 1983-84 school year, school districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 97 of this act on a per capita enrollment basis prior to June 30th ~~((of each school year))~~.

(3) 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. 510. Section 110, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR ~~((BLOCK GRANTS))~~ THE SPECIAL NEEDS PROGRAM

General Fund Appropriation—State	\$	((45,957,000)) 28,629,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of ~~\$((27,328,000))~~ 23,605,000 may be expended in fiscal year 1983-84.

(2) ((A maximum of \$4,148,000 may be allocated by the superintendent for the support of specific learning disabled programs for the 1983-84 school year as reassessment of the currently eligible students occurs as a result of changes in state regulations.

(3)) Of the appropriation provided by this section, a ~~((minimum))~~ maximum of ~~\$(28,632,000))~~ 13,728,000 shall be distributed as follows for the 1983-84 school year:

- (a) 30% on the basis of full time equivalent enrollment;
- (b) 18% on the basis of aid to families with dependent children income enrollment in the prior school year;
- (c) 12% on the basis of minority enrollment in the prior school year;
- (d) 12% on the basis of gifted enrollment in the prior school year;
- (e) 12% on the basis of racial isolation enrollment in the prior school year;
- (f) 6% on the basis of limited English speaking enrollment in the prior school year; and
- (g) 10% on the basis of Indochinese refugees as defined by federal regulation.

Except as otherwise provided, the categories of enrollment shall be defined in accordance with the allocation methodology developed by the governor's advisory committee for chapter II of the education consolidation and improvement act in effect for the 1982-83 school year.

~~((4))~~ (3) A maximum of ~~\$(12,900,000))~~ 12,495,000 may be distributed for the remaining months of the 1982-83 school year.

(4) For the 1984-85 fiscal year, the superintendent shall distribute a minimum of \$4,855,000 as follows:

(a) The sum of \$400,000 is provided for teacher training for drug and alcohol abuse education and prevention in grades K through 12;

(b) A maximum of \$1,700,000 shall be expended for gifted programs to be distributed at a maximum rate of \$290 per student for one percent of each district's total enrollment for the 1984-85 school year.

(c) A maximum of \$2,746,000 may be expended for the remaining months of the 1983-84 school year.

(5) The funds allocated by subsection ~~((3))~~ (2) of this section may be expended by school districts for provision of special instructional programs, including but not limited to: Drug and alcohol abuse prevention; 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~~(- PROVIDED, That school districts shall expend these funds so that any programs listed in this subsection required to be offered by law shall receive first priority).~~

(6) The superintendent of public instruction shall contract \$257,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) The superintendent shall contract \$40,000 for services from the Cispus program.

(8) Salary and benefits increases are included in the funds allocated by this section.

NEW SECTION, Sec. 511. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE REMEDIATION ASSISTANCE PROGRAM

General Fund Appropriation \$ 10,575,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$7,804,800 shall be distributed by the superintendent to districts for the 1984-85 school year at a rate of \$300 per eligible student as defined in RCW 28A.41.404.

(2) For a discretionary seventh through ninth grade remediation program, a maximum of \$2,770,000 shall be distributed by the superintendent of public instruction at a uniform rate per district per eligible student as calculated in this subsection. In making the calculation, the superintendent shall multiply the percentage of students in a district taking the fourth grade state test who scored in the lowest quartile the previous year as compared to the national norm by the number of students currently enrolled in the district in grades 7 through 9, less those students who scored in the lowest quartile and who are served pursuant to chapter 28A.13 RCW (excluding communication disordered students) in grades 2 through 9. Local districts may use these funds to serve any of the students in grades 7 through 9 who are in the bottom quartile on a nationally normed standardized test and who are not receiving like services in programs established in chapter 28A.13 RCW.

(3) This appropriation includes funds for salary and incremental benefit increases for remediation assistance staff.

(4) The superintendent may transfer funds from the remediation assistance program to the handicapped program for specific learning disabled category 'E' enrollment to the extent it exceeds 6,532 students.

(5) This appropriation is provided solely for the 1984-85 fiscal year.

NEW SECTION, Sec. 512. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE TRANSITIONAL BILINGUAL PROGRAM

General Fund Appropriation \$ 3,039,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent shall distribute funds at a maximum rate of \$350 per eligible student for the 1984-85 school year.

(2) This appropriation includes funds for salary and incremental benefit increases for transitional bilingual education staff.

(3) This appropriation is provided solely for the 1984-85 fiscal year.

Sec. 513. Section 115, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation \$ ~~(+1,100,000)~~
1,850,000

The appropriation in this section is subject to the following conditions and limitations: The moneys provided by this section are intended to provide a relatively stable clinic enrollment funded from these moneys for the remainder of the biennium.

NEW SECTION. Sec. 514. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

The appropriations in this act to the state board for community college education and the four-year institutions of higher education are subject to the following conditions and limitations:

(1) Individual community colleges may provide off-campus programs within the respective district boundaries without prior legislative approval; (2) No four-year institution may enter into new contracts, leases, or other commitments to establish off-campus extension centers without prior legislative approval.

Sec. 515. Section 117, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

(1) General Fund Appropriation—Federal \$ 9,000

(2) \$9,665,000 is appropriated from the general fund for the replacement and repair of instructional equipment.

(3) \$3,310,587 is appropriated from the general fund for the small school adjustment to Skagit Valley (fiscal year 1984 only), Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The state board for community college education shall distribute such funds based on a ratio to be determined by the board for students below the 2,500 full time equivalent student enrollment level.

(4) \$~~(232,525,606)~~ 221,036,710 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~((+1,400 per academic year averaged for the biennium))~~ \$1,331 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 3,657 per year ~~((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request))~~.

(5) \$~~(75,000,000)~~ 73,224,845 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~((+452 per year averaged for the biennium))~~ \$441 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ((assumed in this act)). Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ~~((basic direct))~~ instruction. Additional authority is granted to use up to 3.0% of the funds from this subsection for general college purposes as defined in subsection (6) of this section, reducing the support instructional resources per student proportionately.

(6) \$~~(+4,045,007)~~ 126,341,858 is appropriated from the general fund for general ~~((university))~~ college purposes, including plant maintenance, institutional support, state board operations, and instruction.

(7) \$25,000 is appropriated from the general fund to continue leases for three campus sites with the department of natural resources for fiscal year 1985.

(8) \$60,000 is appropriated from the general fund solely for the purpose of planning and coordinating a small business assistance network.

(9) The appropriations in this section are subject to the following conditions and limitations: The community college system shall maximize enrollment opportunities for vocational students.

Sec. 516. Section 118, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

(1) Accident Fund Appropriation \$ 1,563,000

(2) Medical Aid Fund Appropriation \$ 1,563,000

(3) \$1,773,000 is appropriated from the general fund for family practice medicine education and residency programs provided for by chapter 70.112 RCW.

(4) \$~~(+63,000,272)~~ 152,104,160 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than

~~((\\$3,147 per academic year averaged for the biennium))~~ \$2,921 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 1,687 per year ~~((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request)).~~

(5) ~~S((65,387,000))~~ 59,253,142 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~((\\$1,108 per year averaged for the biennium))~~ \$1,004 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ~~((assumed in this act))~~. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(6) ~~S((65,463,728))~~ 181,738,698 is appropriated from the general fund for general university purposes, including research, public service, hospitals, plant maintenance, institutional support, and instruction.

(7) \$6,368,000 is appropriated from the general fund for equipment replacement.

(8) \$3,900,000 is appropriated from the general fund as a special enhancement for enrichment of instructional resources in the undergraduate programs offered by the university.

(9) \$131,000 is appropriated from the general fund for handling of the papers of Senators Jackson and Magnuson.

(10) \$175,000 is appropriated from the general fund for the establishment of a mathematics, engineering, and science achievement program. The appropriation in this subsection shall not be effective until Senate Bill No. 4432 is enacted.

Sec. 517, Section 119, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

(1) ~~S((80,069,896))~~ 74,390,173 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall be not less than ~~((\\$2,679 per academic year averaged for the biennium))~~ \$2,489 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 886 per year ~~((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request)).~~

(2) ~~S((31,692,000))~~ 30,869,510 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~((\\$990 per year averaged for the biennium))~~ \$964 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ~~((assumed in this act))~~. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment instruction.

(3) ~~S((15,613,104))~~ 120,974,217 is appropriated from the general fund for general university purposes including research, public service, plant maintenance, institutional support, and instruction.

(4) \$120,000 is appropriated from the general fund for rodenticide research.

(5) \$2,474,000 is appropriated from the general fund for equipment.

(6) \$2,100,000 is appropriated from the general fund as a special enhancement for enrichment of instructional resources in the undergraduate programs offered by the university.

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

(a) Washington State University shall make available whatever resources are requested by the office of financial management and the council for postsecondary education pursuant to section 120(5)(b) of this act.

(b) Courses classified as 'community service' in the public service program shall be provided on a self-supporting basis only. Beginning with the 1984-85 academic year, 'community service' shall be defined in the same manner as used by the state board for community college education to classify courses as self-supporting. Washington State University shall establish specific criteria and report to the ways and means committees of the house of representatives and the senate by July 1, 1984, on the courses designated as community service.

(8) \$80,000 is appropriated from the general fund to provide for a needs assessment and planning by the higher education institutions in the Spokane area for programs in engineering and technology to meet community and industrial needs. The institutions participating in the development of the needs assessment and planning shall include, but not be limited to, Washington State University, Gonzaga University, Eastern Washington University, Whitworth College and the Spokane Community College District. The funds appropriated herein shall be administered by Washington State University serving as agent of record.

Sec. 518, Section 120, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

(1) ~~\$(33,304,063)~~ 30,542,310 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~(\$2,461 per academic year averaged for the biennium)~~ \$2,257 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 366 per year ~~((and shall not fall below the student-to-faculty ratio as calculated in the governor's budget request))~~.

(2) ~~\$(11,675,000)~~ 11,548,920 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~(\$833 per year averaged for the biennium)~~ \$824 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ~~((assumed in this act))~~. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ~~((basic direct))~~ instruction.

(3) ~~\$(22,567,937)~~ 25,130,670 is appropriated from the general fund for general university purposes, including research, primary support, institutional support, and instruction.

(4) \$706,000 is appropriated from the general fund for equipment.

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

(a) No operating funds may be used for the lease or maintenance of the new Spokane Center Building until the facility becomes the property of the university.

(b) In order to best utilize facilities housing public university programs within the city of Spokane, the director of financial management shall provide a recommendation on the continuation and future needs of public higher education in the city of Spokane, specifically addressing opportunities for cooperative programs. The staff of the council for postsecondary education shall provide assistance as required by the office of financial management to conduct a program review of Spokane area higher education program needs. The office of financial management shall conduct a financial analysis of the Eastern Washington University Center for Higher Education located in Spokane as part of this recommendation. The office of financial management shall submit the recommendation to the legislature by October 1, 1983.

(6) The appropriations in this section are subject to the following conditions and limitations: Any enrollment growth associated with Spokane above the spring 1983 actual level will be considered as an offset to campus enrollments at Cheney, with the effect that Eastern Washington University will include all state-funded Spokane enrollments in meeting the student funding requirements of the 1983-85 appropriations act. Additionally, any course offered as 'self-supporting' shall be offered at a cost that reflects the full cost of the class, including housing costs.

Sec. 519. Section 121, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

(1) ~~\$(27,676,185)~~ 25,274,633 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~(\$2,385 per academic year averaged for the biennium)~~ \$2,122 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 307 per year ~~((and shall not fall below the student-to-faculty ratio as calculated in the governor's budget request))~~.

(2) ~~\$(11,051,000)~~ 10,763,499 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ~~(\$952 per year averaged for the biennium)~~ \$907 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys identified as budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ~~((assumed in this act))~~. Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ~~((basic direct))~~ instruction.

(3) ~~\$(17,569,815)~~ 19,974,868 is appropriated from the general fund for general university purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$604,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes. These funds shall not be used to meet the student full time equivalent minimum expenditure requirements for direct instruction and support resources in the 1983-85 appropriations act.

(5) \$646,000 is appropriated from the general fund for equipment.

Sec. 520. Section 122, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

(1) ~~\$(11,129,439)~~ 10,646,599 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ~~(\$2,519 per academic year averaged for the biennium)~~ \$2,319 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes

shall be not less than 125 per year ((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request)).

(2) \$((7,344,000)) 7,183,724 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ((\$1,662 per year averaged for the biennium)) \$1,562 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, primary support, and student services. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ((assumed in this act)). Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ((basic-direct)) instruction.

(3) \$((9,982,561)) 10,932,677 is appropriated from the general fund for general college purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$462,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes. These funds shall not be used to meet the student full time equivalent minimum expenditure requirements for direct instruction and support resources in the 1983-85 appropriations act.

(5) \$579,000 is appropriated from the general fund for equipment.

(6) \$100,000 is appropriated from the general fund to the Washington state institute for public policy to conduct a study using the staff of the University of Washington to examine issues associated with the status of minorities in the Washington state corrections system.

Sec. 521. Section 123, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

(1) \$((36,371,222)) 34,627,778 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than ((\$2,264 per academic year averaged for the biennium)) \$2,098 for the 1984-85 fiscal year. Faculty full time equivalent entitlements for direct instructional and academic administration purposes shall be not less than 421 per year ((and shall not fall below the overall student-to-faculty ratio as calculated in the governor's budget request)).

(2) \$((12,551,000)) 12,320,336 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than ((\$760 per year averaged for the biennium)) \$746 for the 1984-85 fiscal year. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of actual state-funded full time equivalent regular academic year enrollments ((assumed in this act)). Moneys appropriated in this subsection may be transferred from this subsection, reducing the support instructional resources per student proportionately, to augment ((basic-direct)) instruction.

(3) \$((17,960,778)) 19,809,586 is appropriated from the general fund for general university purposes including research, primary support, institutional support, and instruction.

(4) \$1,881,000 is appropriated from the general fund for regional university and college faculty resource equalization. These moneys may be used for faculty salary adjustments and staffing purposes. These funds shall not be used to meet the student full time equivalent minimum expenditure requirements for direct instruction and support resources in the 1983-85 appropriations act.

(5) \$1,590,000 is appropriated from the general fund for equipment.

Sec. 522. Section 124, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((27,500,000))
		27,498,000
General Fund Appropriation—Federal	\$	3,526,000
State Educational Grant Appropriation	\$	40,000
Total Appropriation	\$	((31,074,000))
		31,064,000

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

(1) To the greatest extent possible, the council shall emphasize work study and other self-help programs in its financial assistance programs.

(2) The council staff shall provide assistance as required by the office of financial management to study the question of undergraduate and graduate education in Spokane.

(3) No less than \$24,265,713 shall be spent for student aid exclusive of agency administrative costs.

Sec. 523. Section 125, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((1,986,000))
		1,978,000
General Fund Appropriation—Federal	\$	21,385,000

Total Appropriation	\$	((23,371,000))
		<u>23,363,000</u>

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

(1) No state funds may be used by the advisory council for vocational education.

(2) The commission for vocational education shall not require of the state board for community college education or the superintendent of public instruction any report or information which is not expressly required by state or federal law or rules. With any request for information, the commission for vocational education shall note on the request the specific citation of the state or federal requirement which requires the report. The commission shall keep its compliance auditing to the minimum required by federal law or rule.

(3) Before the convening of the 1984 regular session of the legislature, the director of the commission for vocational education shall submit a report to the secretary of the senate and the chief clerk of the house of representatives regarding planned improvement in administration, program planning, and program delivery. The secretary of the senate and the chief clerk of the house of representatives shall furnish the report to the appropriate standing committees of the legislature, which shall review and comment on the report's recommendations.

Sec. 524. Section 126, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION PERSONNEL BOARD

General Fund Appropriation	\$	40,000
Higher Education Personnel Board Service Fund Appropriation	\$	((1,309,000))
		<u>1,370,000</u>
<u>Total Appropriation</u>	<u>\$</u>	<u>1,410,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$19,000 shall be used to join with the department of personnel in conducting a study of part-time employee policy and benefits.

(2) \$40,000 of the general fund appropriation is provided solely for the higher education personnel board to conduct a study for the purpose of reviewing and formulating ways to implement comparable worth in accordance with chapter 75, Laws of 1983 1st ex. sess. The board shall coordinate the study with the department of personnel and its study on comparable worth implementation. During the course of the study, the board shall report to the joint select committee on comparable worth on the study's progress. The board shall report back to the legislature no later than January 1, 1985 with potential implementation alternatives.

Sec. 525. Section 127, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State	\$	((7,447,000))
		<u>7,395,000</u>
General Fund Appropriation—Federal	\$	2,297,000
General Fund Appropriation—Private/Local	\$	99,000
Washington Library Network Computer System Revolving Fund Appropriation—Private/Local	\$	((7,672,000))
		<u>8,640,000</u>
<u>Total Appropriation</u>	<u>\$</u>	<u>((17,515,000))</u>
		<u>18,431,000</u>

The appropriations in this section are subject to the following conditions and limitations: A minimum of \$75,000 of the general fund—state appropriation shall be expended for matching the costs of providing for the automation of the selection/circulation and inventory system for the Washington library for the blind and physically handicapped.

Sec. 526. Section 128, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	((2,742,000))
		<u>2,739,000</u>
General Fund Appropriation—Federal	\$	800,000
<u>Total Appropriation</u>	<u>\$</u>	<u>((3,542,000))</u>
		<u>3,539,000</u>

Sec. 527. Section 132, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE TEMPORARY COMMITTEE ON EDUCATION POLICY, STRUCTURE AND MANAGEMENT

General Fund Appropriation—State	\$	((600,000))
		<u>598,000</u>
General Fund Appropriation—Private/Local	\$	34,000
<u>Total Appropriation</u>	<u>\$</u>	<u>((634,000))</u>
		<u>632,000</u>

PART VI
SPECIAL APPROPRIATIONS

Sec. 601, Section 134, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION INCREASES

(1) There is appropriated for the four-year institutions of higher education from the General Fund	\$ ((16,217,000)) <u>17,187,000</u>
(2) There is appropriated for the community college system from the General Fund	\$ ((9,179,000)) <u>9,760,000</u>
(3) There is appropriated for the department of corrections from the General Fund	\$ ((5,488,000)) <u>5,841,000</u>
(4) There is appropriated for the department of social and health services from the:	
General Fund—State	\$ ((11,453,000)) <u>12,220,000</u>
General Fund—Federal	\$ ((6,951,000)) <u>7,419,000</u>
(5) There is appropriated for other state agencies from the:	
General Fund—State	\$ ((7,864,000)) <u>8,341,000</u>
General Fund—Federal	\$ ((1,739,000)) <u>1,842,000</u>
(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase Revolving Fund	\$ ((20,354,000)) <u>21,652,000</u>

(7) The appropriations in this section shall be expended to implement:

(a) Salary increases effective not later than January 1, 1985, to implement such portion of the 1982 salary survey (catch-up results) as possible, rounded to the next range if the application results in a fractional range, for higher education classified employees, state personnel board classified and exempt 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 (excluding student employees not under the jurisdiction of the state or higher education personnel boards):

(b) Merit/market increases effective not later than January 1, 1985, and not to exceed \$3,140,000 (of which \$3,128,000 is from the general fund) for faculty and administrative exempt employees of the four-year institutions of higher education: PROVIDED, That excluding the regional university and college faculty resource equalization moneys under sections 121 through 123 of this act, no research university, regional university, or state college may grant from any fund source whatsoever any salary increases greater than that provided in this section. The increases are to be granted solely on the basis of formal merit evaluation procedures which may take into account critical market disparities in teaching disciplines. The council for postsecondary education shall report to the governor and the legislature on the implementation of the increases no later than February 15, 1985:

(c) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1983, from \$137.00 per month to \$159.00 per month per eligible employee 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 state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$159.00 per eligible employee effective July 1, 1983 through June 30, 1984. ~~((Any return of funds resulting from favorable claims experience during the 1983-85 biennium shall be held in reserve within the state employees' insurance fund.))~~

(d) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1984, from \$159.00 per month to \$167.00 per month per eligible employee 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 state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$179.00 per eligible employee effective July 1, 1984.

(e) The state employees insurance board's authority and practice of expending funds in the state employees insurance revolving fund generated by dividends or refunds is recognized, and the average contribution per eligible employee in subsections (c) and (d) of this section shall not be construed as a restriction on such expenditures: PROVIDED, That any moneys resulting from a dividend or refund shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1984 act and in no case may the maximum premium paid be more than \$179.00 per month per eligible employee. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this 1984 act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

(8) The community colleges may grant merit/market increases effective not later than January 1, 1985, and not to exceed \$2,038,000 of general fund moneys for faculty and administrative exempt employees: PROVIDED, That no community college district may grant from any fund source whatsoever any salary increase greater than that provided in this section. The council for postsecondary education shall report to the governor and the legislature on the implementation of any increases granted pursuant to this subsection no later than February 15, 1985.

~~((+))~~ (9) 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.

Sec. 602. Section 136, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—RETIREMENT CONTRIBUTIONS

General Fund Appropriation	\$ 506,450,000
General Fund—Revenue Accrual Account Appropriation	\$ 47,000,000
Total Appropriation	\$ 553,450,000

The appropriations in this section ~~((s))~~ are subject to the following conditions and limitations:

(1) Not more than \$800,000 may be expended from the general fund appropriation for contributions to the judicial retirement system.

(2) Not more than \$550,000 may be expended from the general fund appropriation for contributions to the judges' retirement system.

(3) Not more than \$192,600,000 ~~((may be expended))~~ from the general fund appropriation and not more than \$35,250,000 from the revenue accrual account appropriation may be expended for contribution to the law enforcement officers' and fire fighters' retirement system.

(4) Not more than \$312,500,000 ~~((may be expended))~~ from the general fund appropriation and not more than \$11,750,000 from the revenue accrual account appropriation may be expended for contribution to the teachers' retirement system.

Sec. 603. Section 142, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for forest reserve fund distribution	\$ 16,000,000
General Fund Appropriation for federal flood control funds distribution	\$ 21,000
General Fund Appropriation for federal grazing fees distribution	\$ 59,000
General Fund—Geothermal Account Appropriation	\$ ((253,000))
	<u>102,000</u>

General Fund Appropriation for distribution under federal Public Law 97-99. Fifty percent of these moneys shall be allocated to local school districts according to a formula developed by the superintendent of public instruction and fifty percent of the moneys shall be allocated to counties for the benefit of public roads according to a formula developed by the state department of transportation

.....	\$ 384,053
Total Appropriation	\$ ((+6,333,000))

16,566,053

NEW SECTION. Sec. 604. (1) There is transferred from the general fund the sum of \$15,000 to be deposited in the essential rail assistance account in the general fund.

(2) There is appropriated for the biennium ending June 30, 1985, from the essential rail assistance account to the department of transportation the sum of \$15,000 to be used pursuant to chapter 47.76 RCW. Not more than \$5,000 of this appropriation may be used for elections pursuant to chapter 36.60 RCW.

Sec. 605. Section 8, chapter 1, Laws of 1983 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state convention and trade center account of the general fund to the state convention and trade center corporation for the biennium ending June 30,

1985, ~~\$(2,024,366)~~ 2,724,360 for operational costs of the convention and trade center corporation.

NEW SECTION. Sec. 606. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as are necessary, are appropriated from the general fund, unless otherwise indicated, for the payment of court judgments and 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) Payment of judgment in State v. Graves, Superior Court for Douglas County, Cause No. 1879, including interest	\$	2,403.22
(2) Payment of judgment in Groves v. State, Superior Court for Snohomish County, Cause No. 81-1-00641-2, including interest	\$	1,983.76
(3) Payment of judgment in State v. Botimer, Superior Court for King County, Cause No. 83-1-01538-0, including interest	\$	30,269.08
(4) Payment of judgment in State v. Freund, Superior Court for Clark County, Cause No. 83-1-00236-2, including interest	\$	8,931.72
(5) Payment of judgment in City of Lynnwood v. Quintero, Municipal Court of Lynnwood, Cause No. LC 9179, including interest	\$	3,845.16
(6) Payment of judgment in State v. Dolan, South District Court for Snohomish County, Cause No. SR 2802, including interest	\$	2,845.86
(7) Payment of judgment in H. H. Robertson Co. v. State, Superior Court for King County, Cause No. 82-2-07131-5, including interest	\$	20,290.04
(8) Payment of judgment in Construction Erectors v. State, Superior Court for Thurston County, Cause No. 81-2-01584-8, including interest	\$	70,406.61
(9) Payment of judgment in State v. Kuster, Superior Court for Spokane County, Cause No. 81-100232-4, including interest	\$	17,988.66
(10) Payment of judgment in In re the welfare of Engebretson, Superior Court for Kitsap County, Cause No. JC-3303, including interest	\$	846.58
(11) Payment of judgment in State v. Beasley, Superior Court for King County, Cause No. 83-1-02895-3, including interest	\$	28,967.83
(12) Payment of judgment in State v. Martinez, Superior Court for Chelan County, Cause No. 6380, including interest	\$	4,491.30
(13) Seattle School District No. 1, et al.; Payment of judgment in Seattle School District No. 1 v. State of Washington, United States District Court, Western District of Washington, Cause No. C81-276T, including interest	\$	61,516.56
(14) Seattle School District No. 1, et al.; Payment to be disbursed in accordance with judgment in Seattle School District No. 1 of King County, et al. v. State of Washington, et al., United States District Court, Western District of Washington, Cause No. C78-753V, including interest	\$	431,536.41

Sec. 607. Section 33, chapter 7, Laws of 1983 as amended by section 57, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.32.400 are each amended to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund, other than amounts reappropriated for the next fiscal biennium, to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system or, during the 1983-1985 fiscal biennium, for the purpose of discharging obligations which the legislature determines are correctly chargeable to a prior biennium.

NEW SECTION. Sec. 608. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

Eight million one hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the revenue accrual account in the general fund to the department of social and health services for payment for services and supplies chargeable to the fiscal biennium ending June 30, 1983. The amounts spent under this section shall not exceed the unspent balances of the original appropriations provided for such services and supplies for the fiscal biennium ending June 30, 1983. If RCW 82.32.400 is not amended in 1984 to permit moneys in the revenue accrual account to be appropriated and spent for the purpose of discharging obligations that are correctly chargeable to a prior biennium, this appropriation shall lapse.

NEW SECTION. Sec. 609. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

(1) There is appropriated from the revenue accrual account of the general fund the sum of \$16,500,000 in settlement of all claims of all plaintiffs and defendants in the following civil actions, covering the period from January 1, 1978, through June 30, 1981, in the Superior Court for Thurston County:

- (a) United Nursing Homes, Inc. et al. v. McNutt, Cause No. 59035;
- (b) United Nursing Homes, Inc. et al. v. Thompson, Cause No. 80-2-01440-1;
- (c) Washington State Health Facilities Association et al. v. Department of Social and Health Services, Cause No. 81-2-00076-0.

(2) If, before July 1, 1984, stipulated final judgment has not been entered in the Superior Court for Thurston County in each of the three civil actions identified in this section, covering all claims of plaintiffs and defendants for the period from January 1, 1978, through June 30, 1981, in amounts whose total, including costs, attorneys' fees, other fees, costs of distribution, and interest, does not exceed the \$16,500,000 appropriated in this section (not including amounts which may be payable as a result of administrative appeals under RCW 74.46.780 or its predecessor), this appropriation shall lapse. If such stipulated final judgment does not require (a) netting within facilities of all overpayments and underpayments incurred throughout the period from January 1, 1978, through June 30, 1981, and (b) repayment to the state of residual funds remaining after payment to plaintiffs of all audited allowable costs for such period plus costs of suit, attorneys' fees, other fees, costs of distribution, and interest, this appropriation shall lapse. The legislature determines that the amounts which may be payable as damages, along with costs, attorneys' fees, other fees, costs of distribution, and interest, in the three civil actions identified in this section are obligations correctly chargeable to prior biennia. If RCW 83.32.400 is not amended in 1984 to permit moneys in the revenue accrual account to be appropriated and spent for the purpose of discharging obligations which are correctly chargeable to a prior biennium, this appropriation shall lapse.

NEW SECTION. Sec. 610. There is added to chapter 76, Laws of 1983 1st ex. sess. a new section to read as follows:

For the purposes of section 143, chapter 76, Laws of 1983 1st ex. sess., moneys appropriated to the state treasurer for bond retirement and interest may be expended for ongoing bond registration and transfer charges.

NEW SECTION. Sec. 611. Section 47, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is hereby repealed.

NEW SECTION. Sec. 612. 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. 613. 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 "state agencies," strike the remainder of the title and insert "amending section 2, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 3, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 4, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 5, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 6, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 7, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 8, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 9, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 10, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 11, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 12, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 13, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 14, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 15, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 20, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 21, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 22, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 24, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 26, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 27, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 28, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 29, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 30, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 31, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 32, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 34, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 37, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 38, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 39, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 40, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 41, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 43, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 44, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 45, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 49, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 51, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 52, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 53, chapter

76, Laws of 1983 1st ex. sess. (uncodified); amending section 54, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 55, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 56, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 57, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 59, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 60, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 61, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 62, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 63, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 64, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 65, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 66, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 67, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 68, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 70, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 71, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 72, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 73, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 74, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 75, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 76, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 77, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 78, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 80, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 81, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 83, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 86, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 87, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 89, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 90, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 92, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 93, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 94, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 96, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 97, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 101, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 102, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 103, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 104, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 105, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 107, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 109, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 110, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 115, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 117, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 118, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 119, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 120, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 121, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 122, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 123, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 124, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 125, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 126, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 127, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 128, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 132, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 134, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 136, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 142, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 8, chapter 1, Laws of 1983 2nd ex. sess. (uncodified); amending section 33, chapter 7, Laws of 1983 as amended by section 57, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.32.400; adding new sections to chapter 76, Laws of 1983 1st ex. sess.; creating a new section; repealing section 47, chapter 76, Laws of 1983 1st ex. sess. (uncodified); and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Grimm, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1156.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1156 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1156 as amended by the Senate, and the bill passed the House by the following vote:

Yeas, 54; nays, 35; absent, 8; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Scott, Smith C, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Holland, Isaacson, Miller, Mitchell, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith L, Van Dyken, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 35.

Absent: Representatives Fiske, Hastings, Lewis, Locke, Lux, Struthers, Taylor, Tilly - 8.

Excused: Representative Long - 1.

Engrossed Substitute House Bill No. 1156 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.

STATEMENT FOR THE JOURNAL

It was my intent to vote against Engrossed Substitute House Bill No. 1156 on final passage.

PAUL SANDERS, 48th District.

STATEMENT FOR THE JOURNAL

ESHB 1156, the Supplemental Budget, passed on March 8, 1984. On page 42, lines 34 and 35, the legislative intent is that the \$350,000 appropriated is reserved for nonprofit local economic development councils, and is not to be distributed to governmental entities.

Signed by Representative Dan Grimm, Chair, Ways & Means Committee; Representative J. King, Chair, Commerce & Economic Development Committee; Representative Tanner, Vice Chair, Commerce & Economic Development Committee.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 4422, by Senators Fleming, Hansen, McDermott, Peterson, Bauer, Williams, Moore, McManus, Bottiger and Shinpoch

Authorizing bonds for agricultural water supply facilities.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 58th Day, March 6, 1984.)

On motion of Mr. Grimm, the committee amendment was adopted.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Ellis spoke in favor of passage of the bill.

Mr. Barrett demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Long.

On motion of Mr. Heck, the absent member was excused and the House proceeded with business under the Call of the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4422 as amended by the House, and the bill passed the House by the following vote:

Yeas, 86; nays, 11; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway,

Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Addison, Brekke, Cantu, Padden, Patrick, Rust, Sommers, Taylor, Van Dyken, Williams B, Williams J - 11.

Excused: Representative Long - 1.

Senate Bill No. 4422 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 SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1660, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, by the official clock in this Chamber and by the time given by Pacific Northwest Bell, it is now past 12 o'clock and according to the rules of this legislature, this legislature has now lost its power to act. I would ask that you adjourn this meeting and move on to sine die."

REPORT OF FREE CONFERENCE COMMITTEE

March 7, 1984

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1660, improving the quality of education, have had the same under consideration, and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction, in consultation with representatives of the state and regional universities, the council for postsecondary education, and the state board of education, shall develop a program to implement at least one campus educational research center located in the state of Washington. Any research center shall be located at an existing state or regional university campus and may be utilized by school districts and all teacher preparation institutions to assist in educational research and the field testing of new innovations in curriculum design, teaching methodology, management practices, and school organizational structures. The superintendent of public instruction shall report to the legislature and the temporary committee on educational policies, structure and management by January 1, 1985, on the plan for the organization and operation of any research center, locations, and costs related thereto. The superintendent of public instruction shall also make available to the temporary committee on educational policies, structure and management, prior to the presentation of the final plan, such information as may be developed in the preparation of the plan.

NEW SECTION, Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW a new section to read as follows:

(1) The superintendent of public instruction is hereby authorized to grant funds for selected school improvement and research projects, including improvements in curriculum, instruction, and classroom management developed by teachers.

(2) The superintendent shall appoint an advisory committee on research and development composed of certificated and noncertificated staff, administrators, curriculum specialists, parents, school directors, postsecondary educators, business persons, and others as the superintendent finds necessary. The committee shall propose criteria to the superintendent to evaluate proposed school improvement and research projects proposed by educational employees. The criteria approved by the superintendent shall: (a) Assure to the extent possible that projects will be chosen which represent the various geographical locations, school or district sizes, and grade levels existent in the state; (b) provide for evaluation of each project upon completion;

and (c) include such other requirements as the superintendent finds necessary. The committee shall recommend to the superintendent of public instruction the awarding of grants to fund those proposals showing the most potential for developing knowledge which will be helpful to local districts in their efforts to enhance educational equity and excellence. Projects may involve the collaboration of personnel from higher education institutions and kindergarten through grade twelve educators.

(3) The superintendent of public instruction shall award grants to selected project participants in such amounts as recommended by the advisory committee on research and development under subsection (2) of this section and the sum of all grants awarded per year shall not exceed that amount appropriated by the legislature for such purposes. Grants may be awarded to individual teachers or teams of teachers including teacher's aides and volunteers.

(4) The superintendent of public instruction shall maintain a clearinghouse of information on these research projects for the use of local districts.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

(1) Recent and expanding activity in educational research has produced and continues to produce much valuable information. The legislature finds that such information should be shared with the citizens and educational community of the state as widely as possible. To facilitate access to information and materials on education, the superintendent of public instruction shall act as the state clearinghouse for educational information.

(2) In carrying out this function, the superintendent of public instruction's primary duty shall be to collect, screen, organize, and disseminate information pertaining to the state's educational system from preschool through grade twelve, including but not limited to in-state research and development efforts; descriptions of exemplary, model, and innovative programs; and related information that can be used in developing more effective programs.

(3) The superintendent of public instruction shall maintain a collection of such studies, articles, reports, research findings, monographs, bibliographies, directories, curriculum materials, speeches, conference proceedings, legal decisions that are concerned with some aspect of the state's education system, and other applicable materials. All materials and information shall be considered public documents under chapter 42.17 RCW and the superintendent of public instruction shall furnish copies of educational materials at nominal cost, including information on the school improvement research projects under section 2 of this act.

(4) The superintendent of public instruction shall coordinate the dissemination of information with the educational service districts and shall publish and distribute, on a monthly basis, a newsletter describing current activities and developments in education in the state.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures on a regular basis. Each school may follow the accreditation process developed by the state board of education under RCW 28A.04.120(4), although no school is required to file for actual accreditation, or the school may follow a self-study process developed locally. Whatever process is used must focus upon the quality and appropriateness of the school's educational program and the results of its operational efforts.

Any self-study process must include the participation of staff, parents, members of the community, and students, where appropriate to their age.

Emphasis throughout the process shall be placed upon:

- (1) Achieving educational excellence and equity;
- (2) Building stronger links with the community; and
- (3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

The initial self-study process within each district shall begin by September 1, 1985, and should be completed for all schools within a district by the end of the 1989-90 school year.

The state board of education shall develop rules and regulations governing procedural criteria. Such rules and regulations should be flexible so as to accommodate local goals and circumstances. Rules and regulations may allow for waiver of the self-study for economic reasons and may also allow for waiver of the initial self-study if a district or its schools have participated successfully in an official accreditation process or in a similar assessment of educational programs within the last three years. The self-study process shall be conducted on a cyclical basis every seven years following the initial 1989-90 period.

The superintendent of public instruction shall provide training to assist districts in their self-studies.

Each district shall annually report to the superintendent of public instruction on the scheduling and implementation of their self-study activities.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction is hereby authorized to grant funds to local school districts to establish pilot projects in building-based management from funds appropriated to include that purpose or from funds otherwise available.

NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW a new section to read as follows:

The superintendent of public instruction shall develop, with the advice of the state board of education, school board members, administrators, the temporary committee on educational policies, structure and management and the institutions of higher education offering teacher training programs, a plan for an administrators training academy. The plan shall include components to develop management skills of board members, superintendents, principals, and other supervisory personnel. The plan should focus on developing leadership skills, curriculum improvement and upgrading, teacher evaluation and counseling, linkages with the community, enhancement of a positive learning environment, planning and goal setting, effective school research, finance, school law, and classroom management techniques and methods to make better use of the school day for learning and to reduce disruptions and nonteaching tasks for teachers.

The plan shall provide for the shared cost of the academy.

Sec. 7. Section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140 are each amended to read as follows:

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common school. The distribution formula shall have the primary objective of equalizing educational opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

- (1) Certificated staff and their related costs;
- (2) Classified staff and their related costs;
- (3) Nonsalary costs;
- (4) Extraordinary costs of remote and necessary schools and small high schools; and
- (5) The attendance of students pursuant to RCW 28A.58.075 and 28A.58.245, each as now or

hereafter amended, who do not reside within the servicing school district.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature. Commencing with the 1980-81 school year, the formula adopted by the legislature shall reflect a ratio of not less than fifty certificated personnel to one thousand annual average full time equivalent students and one classified person to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect: PROVIDED, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in RCW 28A.58.754. The enrollment of any district shall be the annual average number of full time equivalent students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month. The definition of full time equivalent student shall be determined by rules and regulations of the superintendent of public instruction: PROVIDED, That the definition shall be included as part of the superintendent's biennial budget request: PROVIDED, FURTHER, That any revision of the present definition shall not take effect until approved by the house appropriations committee and the senate ways and means committee: PROVIDED, FURTHER, That the office of financial management shall make a monthly review of the superintendent's reported full time equivalent students in the common schools in conjunction with RCW 43.62.050.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, educational staff associate, learning resources specialist, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: PROVIDED, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision: PROVIDED, FURTHER, That the hiring of such noncertificated people shall not occur during a labor dispute and such noncertificated people shall not be hired to replace certificated employees during a labor dispute. Each annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall average at least twenty-five hours per week. Direct classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Up to two hundred minutes per week may be deducted from the twenty-five contact hour

requirement, at the discretion of the school district board of directors, to accommodate authorized teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity. Implementing rules to be adopted by the state board of education pursuant to RCW 28A.58.754(6) shall provide that compliance with the direct contact hour requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional record-keeping by classroom teachers as a means of accounting for contact hours shall not be required. However, upon request from the board of directors of any school district, the provisions relating to direct classroom contact hours for individual teachers in that district may be waived by the state board of education if the waiver is necessary to implement a locally approved plan for educational excellence and the waiver is limited to those individual teachers approved in the local plan for educational excellence. The state board of education shall develop criteria to evaluate the need for the waiver. Granting of the waiver shall depend upon verification that: (a) The students' classroom instructional time will not be reduced; and (b) the teacher's expertise is critical to the success of the local plan for excellence.

NEW SECTION. Sec. 8. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW a new section to read as follows:

(1) The superintendent of public instruction shall establish an annual teacher excellence award program for teachers in diverse grades or subject areas. Not more than one award per educational service district may be granted in any school year.

(2) The awards shall include:

(a) Certificates presented by the governor and the superintendent of public instruction at public ceremonies in appropriate locations;

(b) Waiver of tuition and fees under section 9 of this act; and

(c) A stipend not to exceed one thousand dollars to cover costs incurred in taking courses, which stipend shall not be considered compensation for the purposes of RCW 28A.58.095.

NEW SECTION. Sec. 9. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:

Teachers who have received a teacher excellence award under section 8 of this act shall have the tuition and fees waived at any state institution of higher education for eighteen quarter hours or twelve semester hours taken within three years after the award was received.

NEW SECTION. Sec. 10. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

School district boards of directors are encouraged to develop and implement incentives which recognize and encourage staff excellence. School districts may provide compensation incentives to staff for additional work or assigned projects conducted as part of a district's excellence in education program or programs that are in addition to a district's basic education program. Such compensation shall not be deemed an increase in salary or compensation for purposes of RCW 28A.58.095 nor shall such compensation be applied to the district's salary schedule or be provided in a manner which would increase the state's basic education funding obligation.

NEW SECTION. Sec. 11. (1) There is established for the 1984-85 school year a pilot program to permit up to one hundred fifty teachers who are assigned to supervise the field experience of student teachers to receive a stipend and up to three quarter hour credits or the equivalent at a state institution of higher education.

(2) The objective of the program is to: (a) Enhance the quality of teachers entering the profession through improved practical field experience; and (b) recognize the value of instruction provided by supervisory teachers.

(3) Each supervisory teacher shall assure that the student teacher receives practical teaching experience and direct supervision throughout the assignment.

(4) Each participating school or college of education shall provide training in supervisory skills for the supervisory teacher.

(5) School districts shall provide supervisory teachers with release time the district deems necessary to be able to supervise the student teachers.

(6) For the purposes of this section, 'student teacher' means an individual who receives training experiences under supervision in school or school-related settings while participating in a teacher education program approved by the state board of education.

(7) The state board of education shall administer, coordinate, and evaluate the program and report back to the education committees of the house of representatives and the senate by September 15, 1985.

NEW SECTION. Sec. 12. The state board of education shall recommend a plan to establish a graduate level professional teacher preparation program for teacher certification. The plan shall be based on an analysis of the need for and design of: Explicit entry and exit competency criteria, which shall include testing and assessments of competency in various subject matters or in pedagogy including the ability to encourage students to learn and relate to others in a mutually respectful manner, or both; breadth and depth of subject matter; training and research relevant to teaching skills; extensive experience in local districts including internship, a portion of which may be paid; research on education; continued involvement of program

units as defined by the state board of education; and other criteria as the board may determine appropriate. The state board shall also recommend enabling legislation and changes in certification needed to establish such program, provide data relative to costs, and recommend a process for certifying teachers who have been certified in another state. The state board of education shall submit to the legislature by December 1, 1984, recommendations for legislation required to implement such a graduate level professional teacher preparation program.

NEW SECTION, Sec. 13. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW a new section to read as follows:

After June 30, 1987, each applicant for initial certification shall have completed the necessary coursework and field training requirements, shall submit letters of evaluation from academic and field training supervisors, shall pass an examination or examinations that measure the applicant's subject area knowledge, and shall satisfy other procedures prescribed by the state board of education before receiving initial certification to teach or perform other professional duties in the schools of the state.

NEW SECTION, Sec. 14. The Washington state legislature intends to study the appropriate salary and benefit levels of educators. The study shall:

(1) Address the appropriate salary and benefit levels of teachers, for both current preparation standards and the increased professional preparation standards under section 12 of this act, to a level similar to persons in public and private occupations in this state holding positions requiring or imposing similar training, responsibilities, judgment, knowledge, skills, and working conditions. The study shall compare teachers to public and private occupations on both an hourly wage basis and on an annual salary basis.

(2) Compare Washington state teachers and administrators to teachers and administrators in other states on the bases under subsection (1) of this section; and

(3) Compare the workloads of Washington state teachers and administrators with teachers and administrators in other states.

The superintendent of public instruction shall contract for a study to assist the legislature in the study. The study shall be completed and the results reported to the legislature by January 1, 1985. The superintendent of public instruction shall also make available to the temporary committee on educational policies, structure and management, prior to the presentation of the final report, such data as may be developed as part of the study. The legislature is not obligated to implement any or all of the results contained in such study.

NEW SECTION, Sec. 15. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW a new section to read as follows:

The superintendent of public instruction shall adopt rules under chapter 34.04 RCW to equate credits for district in-service training with college credits for the purpose of salary allocation. Certificated employees may receive up to three additional education credits per year for advancement on the salary schedule for staff development courses taking place after September 1, 1985.

NEW SECTION, Sec. 16. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW a new section to read as follows:

Each school district shall design, and implement a staff development plan under the In-Service Training Act of 1977, RCW 28A.71.200 and 28A.71.210.

The plan shall be established prior to September 1, 1985, and shall provide for staff development training programs which are of professional benefit to employees. School districts shall review and approve staff development training courses. Courses shall be recognized by a school district if such courses:

(1) Enable employees to maintain or improve proficiency in their current or anticipated assignments; or

(2) Respond to an area of district-needed expertise.

NEW SECTION, Sec. 17. 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) Local districts shall assign secondary teachers holding initial level certificates to endorsed areas and levels only. Teachers holding initial level elementary endorsement shall be assigned to elementary grades only. Teachers holding continuing level certificates should be assigned to recommended areas and levels or to areas and levels in which they have demonstrated competency during professional service: PROVIDED, That teachers holding certificates endorsed for grades kindergarten through eight or seven through twelve may be assigned to junior high schools and middle schools: PROVIDED FURTHER, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize initially certificated teachers to serve at different grade levels or in different subject matter fields from those recommended: PROVIDED FURTHER, That when a certificated teacher is assigned outside his or her recommended areas or levels, or outside areas or levels where competence has been demonstrated, the school district shall provide training in the new assignment and the district shall develop with each affected teacher a plan for this training, which plan shall be submitted to the superintendent of public instruction within thirty days of

the individual's assignment, and the teacher may not continue teaching outside his or her recommended areas or levels for more than one year unless substantial progress has been made on this planned training.

(2) Assignments to serve in educational staff associate roles shall be limited to persons holding valid educational staff associate certificates with appropriate endorsements.

(3) Assignment of persons to serve as principals or vice principals shall be limited to persons holding valid administrator certificates with the appropriate endorsement or endorsements: PROVIDED, That principals holding certificates endorsed for grades kindergarten through eight or seven through twelve may be assigned to junior high schools and middle schools.

(4) School districts shall assign beginning teachers who hold provisional certificates to the elementary, junior high, or senior high school levels and to subject fields in accordance with the beginning teacher's qualifications. Such assignment shall obtain during the beginning teacher's first year of teaching: PROVIDED, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize beginning teachers to teach at different grade levels or in different subject matter fields from those recommended: PROVIDED FURTHER, That when a beginning teacher is assigned outside his or her areas or levels of qualification, the school district shall provide training equivalent to that needed for endorsement in the new assignment and the district shall develop with each affected teacher a plan for this training, and the teacher may not continue teaching outside his or her areas or levels of qualification for more than one year unless substantial progress has been made on this planned training.

Sec. 18. Section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284 are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of ~~((computers, computer components, computer accessories, or computer software))~~ tangible personal property irrevocably donated to and accepted by any public or private nonprofit school or ((college)) institution of higher education, as defined under chapter 84.36 RCW, in this state. ~~((For purposes of this section, "computer" means a data processor that can perform substantial computation, including numerous arithmetic or logic operations, without intervention by a human operator during the run:))~~

NEW SECTION. Sec. 19. Implementation of sections 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, and 16 of this act are each subject to funds being appropriated or available for such purpose or purposes.

NEW SECTION. Sec. 20. 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, after "education;" strike the remainder of the title and insert "amending section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140; amending section 7, chapter 55, Laws of 1983 1st ex. sess. and RCW 82.12.0284; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW; and creating new sections."

Signed by Senators Gaspard, Bauer; Representatives Galloway, P. King.

MOTION

Ms. Galloway moved that the House adopt the report of the Free Conference Committee on Engrossed Second Substitute House Bill No. 1660.

Ms. Galloway spoke in favor of the motion, and Representatives Taylor, Schoon and Vander Stoep spoke against it.

POINT OF PERSONAL PRIVILEGE

Mr. Padden: "Mr. Speaker, it's now 12:15 a.m., March 9, 1984."

Mr. Dickie spoke against passage of the bill, and on motion of Mr. Hastings, the remarks were ordered placed in the Journal.

Mr. Dickie: "I came here tonight to discuss this bill as best I know how, in the most sincere effort that I could give. I have taught Washington State history and government. I never taught it the way I've seen it practiced here tonight. What I wanted to say to you--and this will be my last speech on the floor of this body and I have nothing to gain or nothing to lose by what I say--I wanted to say to you that

your schools are at risk. They are not at risk by what they are doing; they are at risk by what we are doing. They are at risk because the schools in the State of Washington are being run by the servants who have also become the masters. To me that's the most dangerous thing that can happen to a free society. I was going to tell you tonight about all the things that are bad in this bill, and there are many of them, but the worst thing that's in this bill is the fact of how it was passed. It was passed by a group that has more power than the parents or this body. To me that is a danger. It threatens our entire society; it threatens our entire way of life. The public knows what they want in their schools. They do not want smoke screens; they don't want newspaper articles to tell fine things. What they are asking for are things that are very simple: They want to insist that we have visible curriculum with clearly stated outcome. I tried for three years to get that placed in statute. They want an environment where their children can go to school without fear. They are talking about discipline. They want management which has accountability and is responsible for carrying out that accountability. They want administration that is not run by an advisory committee but does the job and does it well. They do not want their rights of management bargained away and that's what we have been doing. They want stable school funding. They are not talking, necessarily, about the amount, but they want to know what they have every year. Most importantly, they want good teachers; they do not want mediocrity in the classrooms. Every effort to provide that is denied and frustrated in this body by the same organization that has forced this bill through this body."

Representatives B. Williams and Fuhrman spoke against passage of the bill.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTIONS

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

On motion of Mr. Heck, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-188, by Representatives Heck and G. Nelson

BE IT RESOLVED, By the House of Representatives, That all bills, memorials, joint resolutions and concurrent resolutions in possession of the Chief Clerk of the House of Representatives be indefinitely postponed.

On motion of Mr. Heck, the resolution was adopted.

POINT OF PERSONAL PRIVILEGE

Mr. Wilson: "I rise to recognize and give thanks to my old mentor, Representative Gallagher, who has shown many of us in the past how to maneuver around the halls here. Another thing I want to say is that we've had some tough sixty days here; a lot of discussions back and forth amongst many of us, and I think the one thing we must remember out of all of this--we are all elected by our separate constituencies. We try to represent them. We are friends, and we want to forget the rancor when we leave these halls here. Feeling somewhat good about every one of us, because we've done a darn good job of trying to represent the people that sent us here, and I think that's the thing we want to remember most about this. We're going to be out on the campaign trail, many of us, I'm sure, contending against each other or rivals of some sort, but still our sole purpose here is to represent the people who sent us and to work together and I think, in a large sense, we have done that. I really sincerely appreciate being here and knowing all of you."

MESSAGES FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION SENATE BILL NO. 4381, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 8, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1190,

HOUSE BILL NO. 1194,

SUBSTITUTION SENATE BILL NO. 3169,

SUBSTITUTION SENATE BILL NO. 3942,

SUBSTITUTION SENATE BILL NO. 4381,

SUBSTITUTION SENATE BILL NO. 4404,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 392,

SUBSTITUTION HOUSE BILL NO. 1156,

SUBSTITUTION HOUSE BILL NO. 1246,

SUBSTITUTION SENATE BILL NO. 3169,

SUBSTITUTION SENATE BILL NO. 3942,

SUBSTITUTION SENATE BILL NO. 4381,

SUBSTITUTION SENATE BILL NO. 4404.

PRESENTATION OF GIFT

Representatives Hine and Hastings presented a gift to the Speaker on behalf of all the members of the House of Representatives.

The Speaker: "I appreciate the opportunity to serve as Speaker of the House. It's an opportunity that is not given to too many persons. I know Speaker O'Brien has had the opportunity on four occasions, but it took him forty-one years to do it. It's not my intention to be here that much longer, but I appreciate the opportunity. I'll treasure this card with all the signatures very much. Thank you.

"I remember that it has been said on a number of occasions that people come from all over the state representing different constituencies. The colleagues in our caucus talked about the earth on which we live, and an important part of that earth is the State of Washington. It's important to me as I was born here. My family came to this great state in the late 1850s or the early 1860s, so they have been here a long time and I'm sure my family, my children, my boys, will be here long after I'm gone. I think it's great to be from the State of Washington either as a newcomer or as one who has been here a long period of time. I think we should all, in this room, be not only proud of that but also proud of all the people we represent out there in this great state."

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-183, by Representatives G. Nelson, Johnson, Broback, Walk, Gallagher, Tilly, Powers, Smitherman, Kaiser, Wang, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, Niemi, O'Brien, Padden, Patrick, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Todd, Vander Stoep, Van Dyken, Van Luven, Vekich, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Dan Dawson was a member of the House of Representatives from 1979 through 1982; and

WHEREAS, Dan Dawson served his country by serving in the United States Air Force until his retirement after twenty years in the mid 1970s as a Lieutenant Colonel; and

WHEREAS, During his Air Force career he was affectionately known as "Steve Canyon" for his coolness under pressure while he served in Vietnam as a jet fighter pilot, on the ground directing air strikes, and as a close advisor to South Vietnamese Premier Ky; and

WHEREAS, He was awarded the Army Bronze Star Medal, an unusual feat for an Air Force officer; and

WHEREAS, Dan Dawson and his wife Harriet are the proud parents of two boys, Dan and Steven, bound together by strong family ties; and

WHEREAS, Dan is a member of Chapel Hill Presbyterian Church in Gig Harbor; and

WHEREAS, Dan Dawson has been an active leader in his community, including being a member and past President of the Gig Harbor Lions Club which has just honored him as Lion of the Year for his inspired leadership in the establishment of the Gig Harbor Lions Foundation organized for community service purposes; and

WHEREAS, Dan Dawson demonstrated courage and coolheadedness during his service under fire as Chairman of the Financial Institutions and Insurance Committee of the Washington State House of Representatives during the 1981-82 term when many controversial bills were heard and handled by his committee; and

WHEREAS, Dan Dawson is currently ill and still inspiring others by his coolness and courage;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commend Dan Dawson for his service to his community, state, and country and for his shining example of personal courage, devotion to his family and service to his fellow man; and

BE IT FURTHER RESOLVED, That the House of Representatives pray with the Dawson family and friends for Dan's renewed health and wish him God's blessings; and

BE IT FURTHER RESOLVED, That the Chief Clerk be directed to send a copy of this Resolution to Dan Dawson and his family.

Mr. G. Nelson moved adoption of the resolution. Representatives G. Nelson, Smitherman, Lux, Taylor, Mitchell, Tilly and Powers spoke in favor of the resolution, and it was adopted.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 392,

SUBSTITUTE HOUSE BILL NO. 1156,

SUBSTITUTE HOUSE BILL NO. 1246,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 84-189, by Representatives Heck and G. Nelson

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House of Representatives is ready to adjourn sine die.

On motion of Mr. Heck, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Floor Resolution No. 84-189, the Speaker appointed Representatives Charnley, Halsan, Johnson and Broback to notify the Senate that the House was about to adjourn sine die.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 47, by Representatives Heck and G. Nelson

Notifying the Governor that the Legislature will adjourn Sine Die.

On motion of Mr. Heck, the rules were suspended and House Concurrent Resolution No. 47 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was advanced to third reading and adopted.

COMMITTEE FROM THE SENATE

A committee from the Senate, consisting of Senators Thompson, Zimmerman and Owen, appeared before the bar of the House to notify the House that the Senate was about to adjourn sine die.

The message was received and the committee returned to the Senate.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of HCR 47, the Speaker appointed Representatives Moon, Pruitt, Gallagher, Fiske, Mitchell, Barnes and Dickie to notify the Governor that the Legislature was about to adjourn sine die.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 47,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 47.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House is about to adjourn sine die appeared before the bar of the House and reported that they had accomplished their mission.

The report was received and the committee retired.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Governor that the Legislature is about to adjourn sine die appeared before the bar of the House and reported that they had notified the Governor.

The report was received and the committee retired.

MESSAGE FROM THE SENATE

March 8, 1984

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 47,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, reading of the Journal of the Sixtieth Day of the 1984 Regular Session of the 48th Legislature was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Heck, the House of Representatives of the 1984 Regular Session of the Forty-eighth Legislature adjourned sine die.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

HOUSE LEGISLATIVE LEADERS

1984

DEMOCRATIC LEADERSHIP

Speaker	Wayne Ehlers
Speaker Pro Tempore	John L. O'Brien
Majority Leader	Dennis L. Heck
Democratic Caucus Chair	Lorraine A. Hine
Democratic Caucus Vice Chair/Secretary	Avery Garrett
Majority Whip	Donn Charnley
Assistant Majority Leader	Art Wang
Assistant Majority Whip	Janice Niemi
Assistant Majority Whip	Doug Sayan

REPUBLICAN LEADERSHIP

Minority Leader	Gary A. Nelson
Republican Caucus Chair	Richard "Doc" Hastings
Minority Floor Leader	Dick Barrett
Minority Whip	Gene Struthers
Republican Organization Leader	Bruce Addison
Assistant Minority Floor Leader	Ren Taylor
Assistant Minority Floor Leader	Karen Schmidt
Assistant Minority Whip	Mike Patrick
Assistant Minority Whip	Eugene A. Prince
Republican Caucus Vice Chair	Stan Johnson

APPENDIX
HOUSE ROSTER - 1984
FORTY-EIGHTH SESSION

NAME OF MEMBER	Mailing Address	Age	Birthplace
Addison, Bruce	4509 SW Holgate Seattle 98116	31	Oregon
Allen, Katherine	21712-85th Pl. SW Edmonds 98020	59	Colorado
Appelwick, Marlin	12721-30th Ave. NE Seattle 98125	31	Minnesota
Armstrong, Seth	1715 Bigelow N. Seattle 98109	42	California
Ballard, Clyde	1790 N. Baker St. E. Wenatchee 98801	48	Arkansas
Barnes, Richard O.	18118 6th Ave. SW Seattle 98166	62	Iowa
Barrett, Richard	N.9819 Nez Perce Ct. Spokane 99208	53	Washington West
Belcher, Jennifer	6015 Hansen Rd. SE Olympia 98503	40	Virginia
Betrozoff, John W.	11818-156th Ave. NE Redmond 98052	49	Washington
Bond, R. M. "Dick"	S. 4226 Crestline Spokane 99203	60	Washington
Braddock, Dennis	112 Grand Ave. Rm F Bellingham 98225	39	Washington
Brekke, Joanne J.	6525 Sycamore NW Seattle 98117	49	Washington
Broback, Art	3616 Soundview Dr. W Tacoma 98466	53	Washington
Brough, Jean Marie	1118 S. 287th Place Federal Way 98003	42	Washington, D.C.
Burns, Bill	2511 W Mountlake Pl. E Seattle 98112	56	Arkansas
Cantu, Emilio	4416 138th Ave. SE Bellevue 98006	57	Texas
Chandler, Glyn	1816 Dunn St. Moses Lake 98837	58	Arkansas
Charnley, Donn	19344 11th Ave. NW Seattle 98177	56	Michigan
Clayton, Harold R.	412 Bolin Drive Toppenish 98948	63	Idaho
Crane, Ernest F.	220 First NE Auburn 98002	62	Iowa
Dellwo, Dennis A.	424 Old Ntl Bank Bldg. Spokane 99201	38	Washington, D.C.
Dickie, Lyle J.	Rt. 1, Box 1365A Grandview 98930	60	Oregon
Ebersole, Brian	4325 S. 41st St. Tacoma 98409	36	Maryland

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Associate Realtor	34	R	King, part	1979 thru 1983 3 Ex.
Legislator/ Homemaker	21	R	Snohomish, part	1983-3 Ex.
Attorney	46	D	King, part	1983-3 Ex. 1981 2 Ex. thru
Attorney	36	D	King, part Chelan, Douglas Grant, part Kittitas, part	1983 3 Ex.
Ballard Serv., Owner	12	R	Okanogan, part	1983-3 Ex. 1974 Ex. thru
Systems Analyst Boeing	33	R	King, part	1983 3 Ex. 1981 thru
Marketing Consultant	5	R	Spokane, part	1983 3 Ex.
Management Consultant	22	D	Thurston, part	1983-3 Ex.
Property Manager	45	R	King, part	1983-3 Ex. 1975 thru
Gas Company President	6	R	Spokane, part	1983 3 Ex.
Planning Consultant	42	D	Whatcom, part	1983-3 Ex. 1977 Ex. thru
Homemaker Gen. Contr./ Realtor	32	D	King, part	1983 3 Ex.
Legislator/ Homemaker	28	R	Pierce, part King, part	1983-3 Ex.
State Representative	30	R	Pierce, part	1983-3 Ex. 1977 thru
Engr. Design Mgr., Boeing	43	D	King, part	1983 3 Ex. 1981 thru
41	R	King, part Adams, part Grant, part Kittitas, part	1983 3 Ex.	
Farm Equip. Dealer	13	R	Yakima, part	1983-3 Ex. Hse-71-80; Sen-
Professor of Geology	1	D	King, part Snohomish, part Benton, part	1981-82 2 Ex; Hse-1983-3 Ex. 1977 thru
Farmer	15	R	Yakima, part King, part	1983 3 Ex.
Attorney	31	D	Pierce, part	1983-3 Ex.
Attorney Apple	3	D	Spokane, part Benton, part	1983-3 Ex. 1981 thru
Farmer Education Administrator	15	R	Yakima, part	1983 3 Ex.
29	D	Pierce, part	1983-3 Ex.	

NAME OF MEMBER	Mailing Address	Age	Birthplace
Egger, Louis M.	Box 262 Colville 99114	65	Washington
Ehlers, Wayne	Legislative Bldg. Olympia 98504	45	Washington
Ellis, Jerry	6610 Chinook Dr. Yakima 98908	40	Washington
Fisch, Richard E.	620 W. 9th Street Pt Angeles 98362	50	Washington
Fisher, Ruth	1922 N. Prospect Tacoma 98406	59	Washington
Fiske, Pat	P.O. Box 336 Mt. Vernon 98273	38	Ohio
Fuhrman, Steve	Rt. 1, Box 320 Kettle Falls 99141	38	Washington
Gallagher, P.J. "Jim"	125 S. 72nd Tacoma 98408	68	Washington
Galloway, Shirley A.	1602 N. Divine Rd. Vancouver 98661	49	Arkansas
Garrett, Avery	602 SW Langston Rd. Renton 98055	67	Georgia
Grimm, Dan	904-1/2 7th Ave. SW Puyallup 98371	34	Washington
Halsan, Stuart A.	1701 Daniels Road Centralia 98531	32	Washington
Hankins, Shirley	2120 Duportail #8 Richland 99352	52	Kansas
Hastings, Richard "Doc"	5505 W. Sylvester Pasco 99301	42	Washington
Haugen, Mary Margaret	1268 W. Olsen Rd. Camano Isl 98292	43	Washington
Heck, Dennis L.	707 NE 118th Vancouver 98664	31	Washington
Hine, Lorraine	1834 S. 229th Des Moines 98188	53	S. Dakota
Holland, Bruce	16216-133rd Pl. SE Renton 98155	32	Washington
Isaacson, Ray	2106 Lee Blvd. Richland 99352	55	Arizona
Jacobsen, Ken	7307 40th NE Seattle 98105	39	Nebraska

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Mayor	7 D		Ferry, Lincoln, Pend Oreille, Stevens, Okanogan, part Spokane, part	1983-3 Ex. 1973 thru
Educator	2 D		Pierce, part Thurston, part	1983 3 Ex.
Business Management	14 D		Yakima, part	1983-3 Ex.
Community College			Clallam, Grays Harbor, part	
Instructor	24 D		Jefferson	1983-3 Ex.
Chair, Pierce Co. Plng. Com.	27 D		Pierce, part San Juan,	1983-3 Ex.
Office Supply Business	40 R		Skagit, part Whatcom, part	1981 thru 1983 3 Ex.
Grain Elevator Farm Supply	7 R		Ferry, Lincoln, Pend Oreille, Stevens, Okanogan, part Spokane, part	1983-3 Ex. 1961 thru
Retired	29 D		Pierce, part	1983 3 Ex. 1979 thru
Homemaker	49 D		Clark, part	1983 3 Ex.
Boeing Facilities	11 D		King, part	1959-69 Ex.; 1979-83 3 Ex.
Self-employed Housing Indus.	25 D		Pierce, part Lewis,	1977 thru 1983 3 Ex.
Attorney	20 D		Thurston, part	1983-3 Ex.
Program Anal. Nuclear Indust.	8 R		Benton, part	1981 thru 1983 3 Ex.
Businessman Inst./Janitorial Supplies	16 R		Benton, part Franklin, part Walla Walla Island,	1979 thru 1983 3 Ex.
School Director	10 D		Skagit, part Snohomish, part Skamania,	1983-3 Ex.
Public Relations State	17 D		Klickitat, Clark, part	1977 thru 1983 3 Ex. 1981 thru
Representative Financial Controls	33 D		King, part	1983 3 Ex.
Mgr., Boeing Sr. Engr. Advisor	47 R		King, part	1983-3 Ex. 1979 thru
Hanford Business Representative	8 R 46 D		Benton, part King, part	1983 3 Ex. 1983-3 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Johnson, Stanley C	7302 66th Ave. W. Tacoma 98467	53	Minnesota
Kaiser, Duane L	4802 180th St. E Tacoma 98446	63	Wyoming
King, Joseph	817 W 4th Plain Blvd. Vancouver 98668	38	Texas
King, Paul H	22909-61st Ave. W Mountlake Terrace	34	Washington
King, Richard A	309 77th Place SW Everett 98203	49	Washington
Kreidler, Myron B	129 San Mar Dr. Olympia 98506	40	Washington
Lewis, Jim	P.O. Box 2869 Yakima 98908	40	California
Locke, Gary F	5150 S. Wildwood Lane Seattle 98118	33	Washington
Long, Jeanine H	14730-24th Ave. SE Bothell 98011	55	Utah
Lux, Eugene V	5537 S. 119th Seattle 98178	57	Nebraska
McClure, Barney	613 "F" Street Pt. Townsend 98368	43	Ohio
McMullen, Patrick R	P.O. Box 152 Sedro Woolley 98284	39	Washington
Miller, Louise	17005-191st Ave. NE Woodinville 98072	46	California
Mitchell, James B	1015 Stich Rd. Lake Stevens 98258	59	Washington
Monohon, Carol	P.O. Box 626 Raymond 98577	38	Washington
Moon, Charles	13201 Old Snohomish- Monroe Highway Snohomish 98290	61	Wyoming
Nealey, Darwin R	Box 364 LaCrosse 99143	65	Washington
Nelson, Dick	3612 Whitman N. Seattle 98103	47	Washington
Nelson, Gary A	9710 Wharf St. Edmonds 98020	47	Washington
Niemi, Janice	226 Summit Ave. E. Seattle 98102	55	Michigan

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Pres./Owner Gerrish, Inc.	28	R	Pierce, part	1981 thru 1983 3 Ex.
Christmas Tree Farmer Owner	2	D	Pierce, part Thurston, part	6/22/81 thru 1983 3 Ex.
Ins. Agency	49	D	Clark, part King, part	1981 thru 1983 3 ex.
Attorney College Teacher	44	D	Snohomish, part	1983-3 Ex. 1965 thru 1983 3 Ex.
Optometrist Owner, PR Agency	22	D	Thurston, part	1983 3 Ex. 1981 thru 1983 3 ex.
Attorney Legislator/ Homemaker Building Contractor	37	D	King, part	1983-3 Ex.
	44	R	King, part Snohomish, part	1983-3 Ex. 1975 thru
	11	D	King, part Clallam, Grays Harbor, part	1983 3 Ex.
Jazz Pianist	24	D	Jefferson San Juan, Skagit, part	1983-3 Ex.
Attorney Priv. Music Teacher	40	D	Whatcom, part	1983-3 Ex.
	45	R	King, part	1983-3 Ex. 1979 thru
Pharmacist	39A	R	Snohomish, part Pacific, Grays Harbor, part	1983 3 Ex. Sen-1977 Ex.; House-1977;
Homemaker	19B	D	Wahkiakum, part	1979-83 3 Ex.
				1963-76 2 Ex.;
Veterinarian	39B	D	Snohomish, part Adams, part Asotin, Columbia, Franklin, part Garfield, Whitman	1983-3 Ex.
Farmer Energy Consultant Staff Mgr. Priv. Utility	9	R		1983-3 Ex. 1977 thru 1983 3 Ex. 1973 thru 1983 3 Ex.
Attorney	43	D	Snohomish, part King, part	1983 3 Ex. 1983-3 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
O'Brien, John L.	1305 Joseph Vance Bldg. Seattle 98101	72	Washington
Padden, Mike	E 13021 9th Ave. Spokane 99216	37	Oregon
Patrick, Michael E.	13232 SE 192nd Renton 98055	43	Washington
Powers, Carolyn	825 Ada Street Pt. Orchard 98366	58	Florida
Prince, Eugene	P. O. Box 69 Thornton 99176	53	Washington
Pruitt, Paul	7537 31st Ave. SW Seattle 98126	61	Nebraska
Rust, Nancy	18747 Ridgefield NW Seattle 98177	55	Iowa
Sanders, Paul	2680 169th SE Bellevue 98008	56	Maine
Sayan, Doug	E. 211 Shore Dr. Grapeview 98556	55	Washington
Schmidt Karen	10805 Bill Pt View Bainbridge Is.	38	California
Schoon, Dick	2669 S. 300th St. Federal Way 98003	51	Indiana
**Scott, Pat	2209 Colby Everett 98201	45	Minnesota
Silver, Jean B	N. 7102 Audubon Dr. Spokane 99208	58	Washington
Smith, C. P.	Rt. 2, 875 I NW Ephrata 98823	67	Nebraska
**Smith, Linda	10009 NW Ridgecrest Vancouver 98665	33	Colorado
Smitherman, Bill	3408 N. Vassault St. Tacoma 98417	41	Oklahoma
Sommers, Helen	2516 14th W. Seattle 98119	51	New Jersey
Stratton, Lois J.	1724 W. Mansfield Spokane 99205	57	Washington
Struthers, Gene	601 Village Way 50 Walla Walla 99362	59	Washington
Sutherland, Dean A.	23503 NE 108th St. Vancouver 98662	30	Minnesota

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
C.P.A.	37	D	King, part	1941-1945; 1949-1983 3 Ex. 1981 thru
Attorney Seattle	4	R	Spokane, part	1983 3 Ex. 1981 thru
Police Officer Admin.	47	R	King, part Kitsap, part	1983 3 Ex.
Secretary	26	D	Pierce, part Adams, part Asotin, Columbia, Franklin, part Garfield,	1983-3 Ex. 1981 thru
Farmer	9	R	Whitman	1983 3 Ex. 1977 thru
Minister State	34	D	King, part King, part	1983 3 Ex. 1981 thru
Representative Boeing	1	D	Snohomish, part	1983 3 Ex. 1976 2nd Ex.
Executive	48	R	King, part Grays Harbor, part Kitsap, part Mason,	thru 1983 3 Ex.
Retired Travel Agcy. Owner	35	D	Thurston, part	1983-3 Ex. 1981 thru
Purchasing agent Weyerhaeuser	23	R	Kitsap, part King, part	1983 3 Ex.
Admin. Secretary to Everett	30	R	Pierce, part	1983-3 Ex.
Police Chief	38	D	Snohomish, part	None
C.P.A.	5	R	Spokane, part Adams, part Kittitas, part Grant, part	1983-3 Ex. 1979 thru
Farmer	13	R	Yakima, part Clark, part	1983 3 Ex.
Tax Consultant Mgmt.-Planning Consultant	18	R	Cowlitz, part Kitsap, part	None
Economist	26	D	Pierce, part	1983-3 Ex. 1973 thru
Retired	36	D	King, part	1983 3 Ex. 1980 thru
Retired Businessman	3	D	Spokane, part Benton, part Walla Walla	1983 3 Ex. 1977 thru
Electrician, Apiary, Owner	16	R	Franklin, part Clark, part Klickitat	1983 3 Ex.
	17	D	Skamania	1983-3 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Tanner, Joe	16121 NE 35th Ave. Ridgefield 98642	37	Texas
Taylor, Ren	N. 4710 Ella Rd. Spokane 99219	59	Washington
Tilly, Earl F	1509 Jefferson Wenatchee 98801	49	Oregon
Todd, Mike	17123 SE 339th St. Auburn 98002	36	Oregon
Vander Stoep, J.	727 SW 16th St. Chehalis 98532	26	Washington
Van Dyken, Roger	1251 Garden Circle Lynden 98264	38	California
**Van Luven Steve	1923 167th Ave. SE Bellevue 98008	37	Washington
Vekich, Jr., Max	200 Holly Lane Cosmopolis 98537	30	Washington
Walk, George W	11607 98th Ave. E Puyallup 98373	34	Washington
Wang, Art	3319 N. Union Tacoma 98407	34	Massachusetts
West, James E	E. 3613 Congress Spokane 99203	34	Oregon
Williams, Bob	111 Victoria St. Longview 98632	41	Pennsylvania
Williams, Joseph L	4 Lindley Road Mercer Isl 98040	52	California
Wilson, Simeon	P.O. Box 145 Marysville 98270	56	Oregon
Zellinsky, Sr., Paul	7476 Woodridge Ln NW Bremerton 98310	51	Washington

Name of Officer	Title	Mailing Address	County
Foster, Dean R	Chief Clerk	1314 Eskridge Blvd. Olympia 98501	Thurston
Case, Sharon	Asst. Chief Clerk	7225 Bayview DR NE Olympia 98506	Thurston
Young, Ross	Sergeant at Arms	1381 Linwood Ave. Tumwater 98502	Thurston
	**Scott:	Appointed 1/4/84	
	**Smith, L:	Elected 11/8/83	
	**Van Luven:	Appointed 11/7/83	

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Pres., Columbia R. Eco. Dev. Council	18	D	Clark, part Cowlitz, part	1983-3 Ex. 1979 thru
Ret. Supt. School Dist.	4	R	Spokane, part Chelan, Douglas, Grant, part	1983 3 Ex.
Mgr./Tilly Equipment	12	R	Kittitas, part Okanogan, part	1973 thru 1983 3 Ex.
Dir., Heating Contractor	31	D	King, part Pierce, part	1983-3 Ex.
Securities Broker	20	R	Lewis, Thurston, part	1981 thru 1983 3 Ex.
Owner, San Juan Sailing Pres./Owner	42	R	Whatcom, part	1979 thru 1983 3 Ex.
Exchange Broker	48	R	King, part Grays Harbor, part Kitsap, part Mason,	None
Longshoreman	35	D	Thurston, part	1983-3 Ex. 1977 thru
Teacher	25	D	Pierce, part	1983 3 Ex. 1981 thru
Law Student Licensed Realtor	27	D	Pierce, part	1983 3 Ex.
6 R			Spokane, part Wahkiakum, part	1983-3 Ex. 1979 thru
C.P.A. Construction Consultant	19A	R	Cowlitz, part	1983 3 Ex.
41 R			King, part Island, Skagit, part	1983-3 Ex.
Newspaper Publisher	10	R	Snohomish, part	1973 thru 1983 3 Ex.
Owner-Car Dealership	23	D	Kitsap, part	1983-3 Ex.

Birthplace	Age	Occupation	Previous Sessions
Washington	42	Chief Clerk Assistant	1973-80; 1983-3 Ex.
Washington	37	Chief Clerk Retired	1983-3 Ex. 1975-80;
Washington	54	USAF	1983-3 Ex.

**HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Eighth Legislature
1984 Regular Session

House No.	Relating to:	Chapter No.	Effective Date
S 69	M.L. King birthday, holiday	92	6/7/84
2S 85	Counties; binding arbitration	150	7/1/85
S 105	Prop. taxes; county in-lieu	214	1/1/84
S 145	Common schools; regs	40	6/7/84
2S 181	Public lands	222	7/1/84
217	Liens on public works	146	6/7/84
S 255	Watercraft; regis. & tax	PV 250	3/28/84
S 271	WSP retirement; survivors	206	3/27/84
392	Local improvement districts	203	3/20/84
2S 448	Disabled person; parking	154	6/7/84
S 480	Surface mines	215	6/7/84
S 552	WSP off-duty; uniforms	217	3/27/84
S 571	Public hospital districts	100	6/7/84
596	State building code	101	6/7/84
S 626	Adoption provisions	155	1/1/85
2S 689	Small bus. assist. council	PV 282	3/29/84
S 699	Political process; citizen part	54	6/7/84
706	Tax notice; delinquent taxes	185	6/7/84
2S 713	Health depts; city-county	25	6/7/84
739	Boilers, antique; permits	93	6/7/84
S 791	County hospitals; provisions	26	6/7/84
S 827	Voter & candidate pamphlets	41	6/7/84
S 843	Retirement; public services	184	3/15/84
S 857	Utilities; underground damage	144	6/7/84
880	Health care providers	PV 283	6/7/84
S 914	Mech. & Materialmen; lien laws	202	6/7/84
S 915	Faculty peer review comm	137	6/7/84
939	Uninhabitable dwellings	213	6/7/84
S 977	DWI violations; temp. license	219	6/7/84
S 1017	School buses/axle requirement	104	3/5/84
S 1083	Econ. & revenue forecasting	138	3/7/84
S 1101	Absentee ballot/hosp. patient	27	6/7/84
1103	Health insurance; newborn	4	2/20/84
S 1105	Birth defects	156	6/7/84
S 1106	Computer trespass	273	6/7/84
1107	Housing finance committee; bonds	28	6/7/84
1108	Veterans' loan insurance	29	6/7/84
1110	Gov. council; criminal justice	30	6/7/84
S 1118	Pollution control; tax credit	42	6/7/84
1119	State agency; purchases	102	6/7/84
1120	Juvenile records; release	43	6/7/84
1121	Explosives; crimes	55	6/7/84
S 1123	State employee insurance board	Vetoed	
S 1124	Government borrowing	186	6/7/84
S 1125	Children; mental health study	157	3/8/84
S 1127	Sewer/water system; transfer	147	6/7/84
1128	Special purpose dist; vacancy	44	6/7/84
1133	Political advertising	216	6/7/84
1135	Motor vehicle warranties	148	6/7/84

House No.	Relating to:	Chapter No.	Effective Date
2S	1137 Respite care services	158	3/8/84
	1138 Groundwater protections	253	6/7/84
	1142 Occupational disease; claims	159	6/7/84
S	1146 DOT/obsolete references	7	6/7/84
	1147 Bed & breakfast; beer and wine	45	6/7/84
	1149 Gambling; organizations	207	6/7/84
S	1153 Radioactive materials	96	6/7/84
S	1156 1984 supplemental budget	PV 285	3/30/84
S	1157 Supplemental capital budget	182	3/14/84
	1159 Compensation; boards, commissions	PV 287	7/1/85
	1162 Fisheries code; corrections	80	6/7/84
S	1163 Credit charges; consumer	PV 280	6/7/84
S	1164 Solid waste management	PV 123	6/7/84
	1166 Probation conditions	46	2/29/84
2S	1174 Pollution; acid deposition	277	3/29/84
S	1178 Health professions; regs	PV 279	6/7/84
S	1179 Health benefits; cost analyses	56	6/7/84
S	1187 Cosmetology; regs	208	7/1/84
S	1188 Credit unions; revisions	31	7/1/84
	1190 Dept. of Corrections; bonds	271	3/28/84
S	1191 Water supply systems; tests	187	6/7/84
	1192 Short plat; hiway right of way	47	6/7/84
	1194 DSHS bonds	269	3/28/84
S	1200 Transportation supp. budget	2	2/15/84
	1201 Property tax exemptions	220	*6/7/84
	*Section 23		7/1/84
S	1205 Forest products; trade center	139	3/7/84
S	1207 International trade marketing	57	3/1/84
S	1210 Ferry management; positions	48	6/7/84
S	1213 Washington trust law	149	*3/7/84
	*Sections 1-98; 100-138; 147-178		1/1/85
	1218 Auctioneers' regs	189	6/7/84
	1219 Collective bargaining; comm. college	Vetoed	
S	1227 State park land; management	82	6/7/84
2S	1231 Aquatic lands	221	10/1/84
S	1246 Education excellence program	278	*6/7/84
	*Sections 16, 18 & 19		7/1/86
S	1247 Criminal sentencing	209	*7/1/84
	*Sections 27 - 32		6/30/84
	1248 State patrol; discipline	141	3/7/84
	1254 Teacher retire; earnable comp	5	6/7/84
S	1262 Economic development	PV 257	3/28/84
S	1266 Memorial/ MIA's; SE Asia	81	6/7/84
S	1268 School facilities; bonds	266	3/28/84
S	1270 Landlord-tenant; mobile homes	58	6/7/84
S	1275 Real estate tax; floating homes	192	3/15/84
S	1279 Civil service; trade center	210	3/27/84
S	1282 Candidates; indigent	142	6/7/84
	1295 Dam safety; report	83	6/7/84
S	1302 Trespass; commercial lands	49	6/7/84
	1304 Teachers' retirement; eligibility	PV 256	6/7/84
S	1311 Handicapped; preschool	160	6/7/84
	1319 Aircraft noise abatement program	193	6/7/84
	1328 Elderly; dependent; abuse	97	*6/7/84
	*Section 9		7/1/85
S	1334 Comm. coll. fees; unemployed	50	2/29/84
	1348 Operating fees; students	105	6/7/84

House No.	Relating to:	Chapter No.	Effective Date
	1355 Political act. comm; pay deduct	Vetoed	
	1361 Low income, PUD cust; contrib	59	6/7/84
	1373 Environmental profile; develop	94	6/7/84
	1378 Civil service; state	PV 284	6/7/84
	1386 Industrial injury; 3rd party	218	6/7/84
S	1390 Disab. parking; out of state persons	51	6/7/84
	1395 County audit documents; veterans	84	6/7/84
S	1400 ASB laws; revisions	98	6/7/84
S	1407 DNR duties; forest products	60	6/7/84
	1409 Driving record; owner/operator	99	6/7/84
	1413 Railroads; regulation	143	6/7/84
S	1415 Voters' pamphlets; local	106	1/1/85
	1416 Physical ed. qualifications	52	6/7/84
S	1418 HMOs; discriminatory practice	32	6/7/84
	1419 Group insurance; state employees	107	6/7/84
	1423 Property; overinsured	6	6/7/84
	1427 Vehicle ident; alternative fuel	145	6/7/84
S	1435 City consolidation; classif	8	2/20/84
S	1438 Dangerous wastes	254	6/7/84
S	1439 Unemployment compensation	140	3/7/84
S	1456 Bilingual ed requirements	PV 124	6/7/84
	1462 Unemployment compensation	Vetoed	
	1509 County tax; nonresidents	248	7/1/85
S	1511 Tourism development	PV 122	3/5/84
S	1514 Juveniles; remove adult jails	272	6/7/84
	1517 Conflict of interest; executives	85	6/7/84
	1526 Child placement; review hearing	188	6/7/84
	1530 Model traffic ordinance	108	6/7/84
S	1531 Flooding; provisions modified	212	6/7/84
S	1539 Juveniles; legal services	86	6/7/84
S	1547 Absentee voters; procedures	109	6/7/84
S	1548 Voter regis; state offices	211	6/7/84
S	1564 Insurance coverage; conversion	190	6/7/84
S	1582 DWI enforcement; funding	110	3/5/84
S	1613 Vocational excellence award	267	3/28/84
S	1625 Measured tel. rates prohibited	3	2/16/84
S	1627 Child support; collection	260	6/7/84
S	1637 Radioactive waste disposal	161	3/8/84
	1649 Ex parte; quasi-judicial	191	6/7/84
S	1652 Fireworks regulations	PV 249	6/7/84
S	1655 Child care; state employee	162	6/7/84
S	1666 Real estate brokers; public property	103	3/2/84
S	1668 Vehicle fuel; dispensing device	61	6/7/84
S	1687 Custodial interference	95	6/7/84
S	1698 License plate replacement	62	6/7/84
S	1778 U.S. & Canada; treaty	1	1/26/84

HOUSE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH HOUSE AND SENATE

Forty-Eighth Legislature

1984 Regular Session

No. Subject:

HOUSE JOINT MEMORIALS

16	Economic Equity Act II; adoption
30	Hanford; National energy center
33	Grays Harbor project
34	Taxpayer Antitrust Act 1983
37	Refugees; safe haven status

HOUSE CONCURRENT RESOLUTIONS

31	Legislature organized; Gov. notified
32	Cutoff dates; 1984 regular session
34	Comparable worth study
35	Workmens' comp; joint select committee
38	Canadian dignitaries; welcome
40	Oregon income tax; AG action
47	Notify Governor, Legislature adjourn sine die

**SENATE BILLS PASSED BY BOTH HOUSE AND SENATE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Eighth Legislature
1984 Regular Session

Senate No.	Relating to:	Chapter No.	Effective Date
	3044 Military tuition exemption	232	3/27/84
	3059 Pets for elderly; nursing home	127	6/7/84
S	3064 Taxicab companies; regs	126	6/7/84
S	3074 Occupation therapists	PV 9	6/7/84
S	3098 County freeholder; vacancies	163	6/7/84
S	3103 County treasurer; surprise audits	128	6/7/84
	3117 Regulating toxic fumes	68	6/7/84
	3118 Workers' compensation	63	6/7/84
	3128 Attorney fees; condemnation	129	6/7/84
	3132 Mortgage satisfaction; damage	14	6/7/84
S	3133 Pilot liability	69	3/1/84
2S	3158 Trade name regulation	130	10/1/84
S	3169 Game laws	240	6/7/84
S	3178 Late payment; property taxes	131	6/7/84
S	3181 Involuntary treatment	233	3/27/84
2S	3193 Clean Air Act	255	6/7/84
S	3194 MV ownership; license renewal	241	6/7/84
	3208 Judges' salaries	64	7/1/84
S	3238 PCAA name change	125	6/30/84
	3262 Property taxation	132	6/7/84
S	3287 Retirement contrib; reestablish	Vetoed	
	3376 Admin. for courts; salary	20	6/7/84
	3379 Group fishing permits	33	6/7/84
S	3429 State advisory; criminal justice	234	6/7/84
	3437 Malicious prosecution	133	6/7/84
	3449 Voters' pamphlet	Vetoed	
S	3504 Timberland current use	111	6/7/84
S	3561 Unemployment compensation	134	6/7/84
S	3616 Air pollution	164	6/7/84
S	3620 Air contaminant	88	6/7/84
S	3740 Hazardous materials	165	6/7/84
S	3758 Excursion service companies	166	6/7/84
2S	3815 Jail finance responsibility	235	*7/1/84
	*Section 5		3/27/84
S	3827 PNW power council; Eastern WA rep	223	6/7/84
	3834 Local sales tax	112	6/7/84
S	3849 Conduct on buses	167	6/7/84
S	3868 Irrigation districts; authority	168	6/7/84
S	3901 Unfair business practices	169	6/7/84
S	3926 State employee; deferred comp	242	3/27/84
S	3942 Higher ed. construction bonds	264	3/28/84
S	3984 Recall provisions	170	6/7/84
S	4050 Legal messenger serv/WUTC	171	6/7/84
S	4110 Cemeteries; prov. modified	53	*6/7/84
	*Section 7		2/29/84
S	4111 Sales; property execution/redemption	276	6/7/84
S	4220 Theatrical wages	89	6/7/84
	4228 Malicious harassment	268	6/7/84

Senate No.	Relating to:	Chapter No.	Effective Date
S 4274	Pawn brokers; second-hand dealers	10	3/22/84
4275	Teachers' retirement	236	9/1/85
4286	Special tax; coin operated devices	135	7/1/84
S 4287	County, seventh class; road engineers	11	2/21/84
S 4288	Rural arterial funds limit	113	3/5/84
4289	Two-way left turn lanes	12	6/7/84
4300	Nonprofit organizations; gambling	70	6/7/84
4301	Surplus property disposal; notice	172	6/7/84
S 4302	Pharmacy practice modified	PV 153	6/7/84
4304	Redistricting commission; revisions	13	6/7/84
S 4306	Public health; modifications	243	6/7/84
4309	Sexual exploitation; children	262	6/7/84
4312	Financial report; state officer	34	6/7/84
S 4313	Combine county/city municipal corp	91	6/7/84
4320	Amusement device repair age	136	6/7/84
S 4321	State library law revised	152	6/7/84
S 4325	Cigarette sales	173	*6/7/84
	*Section 1		7/1/84
S 4329	Milwaukee road lease	174	6/7/84
S 4332	Public depositaries	177	6/7/84
S 4334	Convicts; community serv; liability	24	2/21/84
4338	MV renewal restrictions	224	7/1/84
4341	Special dist. group insurance	15	6/7/84
4342	Employ. Sec; automation plan	16	2/21/84
S 4343	DOT work; state forces	194	6/7/84
4345	Crime victims; unemp. comp	65	6/7/84
4348	Class K liquor licenses	71	6/7/84
4351	High-tech board; members	66	6/7/84
4352	Convicts; prosecutors' statement	114	3/5/84
S 4357	Judgment lien enforcement period	21	6/7/84
4358	Hotel excise tax; convention trade	115	3/5/84
S 4362	Open alcohol containers	274	6/7/84
S 4367	Fish and wildlife enhancement	72	6/7/84
4371	Real property; executory contracts	73	6/7/84
4374	Public development authority; tax	116	6/7/84
4376	Sales/use tax; equal fund distrib	225	3/27/84
2S 4380	Criminal Justice Information Act	17	2/21/84
S 4381	Election laws revised	Vetoed	
4388	Treasurer check cashing	74	6/7/84
4401	Port property sale	195	6/7/84
S 4403	Hospital commission; health costs	PV 288	6/7/84
S 4404	Public work loans	244	*3/27/84
	*Sections 1 and 2		7/1/85
4407	School district admin; comp	245	3/27/84
4415	High school diploma; standard	178	6/7/84
S 4416	Unemployment insurance	205	*3/21/84
	*Sections 6 & 13		1/1/85
	*Section 9		7/1/85
S 4419	Milk, milk products; tests	226	6/7/84
4421	Timber/timberland tax	204	7/1/84
S 4423	Agricultural market devel. task force	90	3/2/84
4428	Fishing vessel; license purch	67	6/7/84
S 4430	Court Improvement Act	PV 258	*6/7/84
	*Secs. 1-210, 511, 601-808, 901		7/1/84
	*Secs. 301-404		7/1/85
	*Secs. 501-510, 512-524		1/1/85
4432	Science/math/engineering; educ	265	6/7/84

Senate No.	Relating to:	Chapter No.	Effective Date
S 4435	Racketeering	270	7/1/85
4437	WWII law school credits	117	6/7/84
4439	Statutes superseded by court	76	6/7/84
S 4443	Mineral interests	252	6/7/84
4445	Beer, wine; consumer protection	196	6/7/84
S 4448	Minor health care services	PV 281	6/7/84
4460	State ferries; sell/lease back	18	2/21/84
4469	Polling places; correction	35	6/7/84
4475	MV title, registration; transfer	39	6/7/84
S 4477	Public retirement; employer pay	227	9/1/84
S 4484	Athletic health care training	PV 286	3/30/84
S 4489	Foreclosure notice	179	6/7/84
S 4490	Heating utility termination	PV 251	6/7/84
4491	Homestead appraisers	118	6/7/84
S 4494	Council on International Trade	PV 151	3/7/84
4500	School employees; tax annuities	228	6/7/84
S 4503	Bonded wine warehouse; license	19	6/7/84
4504	Budget account reporting	247	6/7/84
4506	Judicial retirement	37	2/23/84
4513	Corporations	75	6/7/84
4527	Reflectorized disabled MV	119	6/7/84
4532	Highway; Kendall to Sumas	197	6/7/84
S 4541	Domestic violence relief	263	*6/7/84
	*Sections 1 - 29		10/1/84
S 4560	Telephone buyers; disclosure	275	6/7/84
S 4561	Emergency services; prov. modified	PV 38	6/7/84
S 4578	Boating safety	183	3/14/84
S 4579	State militia; tort liability	198	6/7/84
4592	Centennial commission members	120	6/7/84
4607	Dangerous waste disposal	237	6/7/84
4619	Fire commissioners; vacancies	238	6/7/84
S 4620	Civil service; veteran defined	36	6/7/84
S 4628	Sheriff vacancies	199	6/7/84
4642	Mutual insurers; reorganization	23	6/7/84
S 4647	DSHS advisory committee	PV 259	6/7/84
4650	Burning permits	229	6/7/84
S 4653	Protection of children	261	6/7/84
4668	WSU; small business center	77	6/7/84
4696	School levy formula	Vetoed	
S 4708	Costs; operation state institutions	200	6/7/84
S 4711	Fire districts	230	6/7/84
S 4730	Child support health insurance	201	6/7/84
4731	Volunteer firemen; retirement	121	6/7/84
S 4758	Candy with alcohol flavor	78	3/1/84
4773	Small business innovators' program	79	6/7/84
S 4775	Parklands acquisition	87	3/2/84
4787	Home health care services	22	7/1/84
S 4788	Habitat buffer zone	239	6/7/84
S 4794	Centennial partnership	231	3/27/84
4798	Prison overcrowd reform act	246	3/27/84
S 4814	Child family services	180	3/8/84
S 4829	Dislocated workers; define	181	6/7/84
2S 4831	Worker right to know	PV 289	6/7/84
S 4849	Honorary commercial attache' program	175	6/7/84
4852	International investment	176	6/7/84

**SENATE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH HOUSE AND SENATE**

Forty-Eighth Legislature

1984 Regular Session

No. Subject:

SENATE JOINT MEMORIALS

127 Radioactive waste sites
131 Nuclear waste liability

SENATE CONCURRENT RESOLUTIONS

137 Reintroducing 1983 measures
138 Joint Rules; 48th Legislature
S 140 Legislative comparable worth negotiation team
142 Nuclear waste disposal sites
143 FFA week recognized
147 Oregon income tax, 1983
149 Joint Select Committee - LEOFF

**GOVERNOR'S MESSAGES ON HOUSE BILLS
VETOED AND PARTIALLY VETOED**

1984 REGULAR SESSION

March 28, 1984

To the Honorable, the House of Representatives
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to one provision, Engrossed Substitute House Bill No. 255, entitled:

"AN ACT Relating to watercraft."

A portion of section 2(7) would exempt from registration watercraft under 16 feet in overall length not used in waters subject to Federal jurisdiction.

I appreciate the legislature's desire to limit boat registration requirements as much as possible and still qualify for Federal funding. However, a registration requirement conditioned on the type of water in which the boat will be used would create several problems:

1. It is impossible for both users and registration agencies to determine in advance where a boat will be used in the following 12 months.

2. A lack of registrations on a large number of the motorized boats under 16 feet in length would make enforcement of both the registration law and boating safety laws very difficult. This is particularly so since the distinction between Federal and state waters is often quite unclear.

3. This provision could foster widespread non-compliance with the registration law. This in turn could jeopardize Federal funding.

4. It would cause a loss of state revenues.

With the exception of a portion of section 2(7), Engrossed Substitute House Bill No. 255 is approved.

Respectfully submitted,
John Spellman, Governor

March 29, 1984

To the Honorable, the House of Representatives
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval, as to certain sections, Second Substitute House Bill No. 689, entitled:

"AN ACT Relating to small business."

This measure creates both the Small Business Assistance Advisory Council and the Small Business Improvement Council. The purpose of the two councils is to identify and resolve small business program duplications in state government and to recommend

actions to remove governmental restrictions that would inhibit the growth of small businesses.

Clearly, two councils are unnecessary and duplicative. Therefore, I have vetoed section 3 of this measure. The council created therein is unduly restrictive in its appointment process, jeopardizing the separation of powers between the executive and legislative branches.

In addition, I have vetoed sections 9, 10, 11, and 12 of the bill as these provisions specifically provide the internal organization structure of the remaining council, a subject which is better left to the council to determine after its formation.

With the exception of sections 3, 9, 10, 11, and 12, Second Substitute House Bill No. 689 is approved.

Respectfully submitted,
John Spellman, Governor

March 29, 1984

To the Honorable, the House of Representatives
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval, as to section 2, House Bill No. 880, entitled:

"AN ACT Relating to health care services."

This measure, in section 1, adds to existing law a number of additional health care providers to whom checks and payments for claims under any health service contract must be made payable to both the provider and the insured, jointly.

Section 2, however, adds to the Uniform Commercial Code a provision establishing liability on the initial party accepting negotiation without obtaining the endorsement of all the payees for the value of the instrument, cost of collection and reasonable attorneys' fees. This section is ill-advised. First, the language is inconsistent with other provisions of Article 3 of the Uniform Commercial Code. Second, the provision would appear to be unnecessary. Under current law, a joint payee whose endorsement is not obtained on a check which is paid absent that endorsement has remedies available against all other parties in the collection process. This provision may reduce the joint payee's possibility of recovery except against the "initial party."

With the exception of section 2, House Bill No. 880 is approved.

Respectfully submitted,
John Spellman, Governor

March 30, 1984

To the Honorable, the House of
Representatives of the State

of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 1123 entitled:

"AN ACT Relating to state employees' insurance."

This bill would authorize the State Employees' Insurance Board to self-fund any or all of the insurance programs under its jurisdiction except property and casualty insurance. Medical and dental coverage would be primarily effected.

Last session, I vetoed a similar measure, Substitute House Bill No. 620, due to concern with the high risks involved in self-insurance and the lack of adequate preparation for this type of program. The Office of Fiscal Management was directed to study this self-insurance alternative, did so, and presented this measure to the legislature.

The study indicates that full implementation of self-insurance would result in some savings achieved through interest earnings. I do not believe that these potential savings are sufficiently great to justify enacting this measure at this time.

I continue to be concerned that the State Employees' Insurance Board does not possess the personnel or resources necessary to carry out the duties mandated by this legislation. I also question whether or not it is appropriate for a board which is made up of state employees to be charged with providing direct benefits to those same employees. In short, I still consider the risks too great and believe this measure warrants evaluation.

For these reasons, I have vetoed Substitute House Bill No. 1123.

Respectfully submitted,
John Spellman, Governor

March 30, 1984

To the Honorable, the House of
Representatives of the State
of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to one provision, Substitute House Bill No. 1156, entitled:

"AN ACT Relating to state agencies."

The provision I have vetoed and the reasons therefore are as follows:

On page 67, section 501, I have vetoed all of subsection (5) which states that:

(5) \$1,796,000 is provided solely for the implementation of House Bill No. 1660 during the 1984-85 school year. The funds shall be allocated as follows:

(a) A maximum of \$50,000 for a Campus Education Research Center.

(b) A maximum of \$350,000 for School Improvement Research Projects.

(c) A maximum of \$50,000 for an SPI clearinghouse.

(d) A maximum of \$200,000 for School Self Study.

(e) A maximum of \$50,000 for Building Based Management Pilot Programs.

(f) A maximum of \$75,000 for an Administrator Training Academy Plan.

(g) A maximum of \$12,000 for Teacher Excellence Awards.

(h) A maximum of \$50,000 for Supervision of Student Teacher Pilot Programs.

(i) A maximum of \$200,000 for a Graduate Teacher Preparation Plan.

(j) A maximum of \$80,000 for Teacher Competency Test Development.

(k) A maximum of \$75,000 for an Educator Salary Study.

(l) A maximum of \$40,000 for In-Service Credit Equivalency Development.

(m) A maximum of \$564,000 for Staff Development Plans.

As House Bill No. 1660 did not pass, this appropriation cannot be used and is an unnecessary authorization.

Respectfully submitted,
John Spellman, Governor

March 30, 1984

To the Honorable, the House of
Representatives of the State
of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to several sections, House Bill No. 1159, entitled:

"AN ACT Relating to state government."

Sections 22, 23, 24, and 25 would amend statutory provisions dealing with existing barbering and cosmetology boards. Because the legislature has chosen to allow these boards to terminate under existing provisions and to assign their functions to the Department of Licensing and a new State Cosmetology, Barbering and Manicuring Advisory Board (ESHB 1187, Section 9), these sections need to be vetoed in order to avoid potential double-amendment problems.

With the exception of sections 22, 23, 24, 25, and 38, House Bill No. 1159 is approved.

Respectfully submitted,
John Spellman, Governor

March 29, 1984

To the Honorable, the House of Representatives
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to one section, Substitute House Bill No. 1163, entitled:

"AN ACT Relating to credit transactions."

This bill places credit cards issued by companies which are not financial institutions nor retail businesses in the same category as credit cards issued by retail businesses. The bill also provides additional protection to the user of the credit card, where his

returned goods or otherwise secured forgiveness of the debt for which the card was used. This bill clarifies that the credit card user is not responsible for the payment of service charges resulting from the failure of a retailer or of the card issuer to properly process the advice of credit. However, subsection 4 of section 11 goes beyond protection of the holder of the card and unnecessarily stipulates that, as between the issuer of the card and the retailers, the retailers will bear the burden of the surcharges where they are at fault. This issue should be left to agreement between the card issuer and the retailers honoring the card.

With the exception of section 11(4), Substitute House Bill No. 1163 is approved.

Respectfully submitted,
John Spellman, Governor

March 7, 1984

To the Honorable, the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to one section, Substitute House Bill No. 1164, entitled:

"AN ACT Relating to solid waste management; . . ."

This act lists priorities for solid waste management and requires the Department of Ecology to adopt functional standards for the handling of solid waste which utilize technology to protect the environment and human health. The purpose of the bill is laudable, and I fully support its execution. Therefore, I approved the entire bill with the exception of Section 3 which I vetoed.

Section 3 amends existing language in RCW 70.95.060 which already gave the Department of Ecology permissive authority to adopt minimum functional standards for solid waste handling. The amendments require the Department of Ecology to adopt these standards, but also require that the standards be reviewed and approved by the Solid Waste Advisory Committee prior to adoption.

I support the use of advisory committees for review and comment as is specified in Section 4(3) for the local solid waste advisory committee on plan preparation and revisions. However, it is not appropriate to give an advisory committee approval or veto of standards adoption. This constitutes delegation of rule-making authority to an advisory committee which is not accountable to the electorate for its actions.

There are sufficient opportunities through the rule-making process for both the advisory committee and the general public to be heard.

I believe that my veto of Section 3, for the reasons outlined above, has not harmed the spirit and intent of Substitute House Bill

1164. Please be assured that the Department of Ecology will proceed with adoption of functional standards for solid waste management while utilizing its advisory committee on solid waste management for review and comment.

The remaining sections of the bill are approved.

Respectfully submitted,
John Spellman, Governor

March 29, 1984

To the Honorable, the House of Representatives
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to certain provisions, Substitute House Bill No. 1178, entitled:

"AN ACT Relating to the regulation of health and health-related professions and businesses."

Section 64 adds very detailed and inappropriate language to the statute regulating nursing home administrators.

Sections 64 and 65 (3) would exempt from all regulation the administrators of nursing homes operated by churches teaching healing by faith alone. I believe it is important to recognize that the regulation of nursing homes and their administrators deals with far more than medical treatment. Therefore, the current exemptions from medically-related regulations are more appropriate than blanket deregulation.

Sections 66 and 67 would raise the educational requirement for licensure of nursing home administrators from an associate degree to a bachelor's degree. This kind of educational requirement, unrelated to the practice of the occupation, is inappropriate because it tends to increase consumer costs and decrease job opportunities without promising any improvement in service.

Sections 70(3) and (4) would reduce the state's ability to discipline licensed nursing home administrators by removing the ability to discipline for knowing violations of the statute. Knowing violation should be retained as a basis of discipline.

With the exception of these provisions, Substitute House Bill No. 1178 is approved.

Respectfully submitted,
John Spellman, Governor

March 29, 1984

To the Honorable, the House of
Representatives of the State
of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Engrossed House Bill No. 1219 entitled:

"AN ACT Relating to labor relations in community colleges."

Last year, I vetoed a similar bill that would have established collective bargaining in higher education. That bill, Substitute Senate Bill No. 3042, pertained to all the state's institutions of higher education. This measure, while restricted to the state's community college system, contains similar flaws.

Again this year, I am confronted with a bill which presents a standard industrial bargaining model for an institution of higher education; a measure that does not address the need for mutual cooperation between faculty, students, and administration in the development of procedures and policies necessary to preservation of the special nature of our state's community colleges. The bill before me continues to prescribe the adversarial approach to professional negotiations.

Current law regarding negotiations at the state's community colleges requires negotiations, in good faith, between representatives of employee organizations and community college districts with respect to curriculum, textbook selection, in-service training, student teaching programs, personnel, hiring and assignment practices, leaves of absence, salaries, salary schedules, and non-instructional duties. In fact, this requirement for negotiations has led to collective bargaining which closely approximates the traditional model and has led to the execution of collective bargaining agreements which closely approximate the traditional model. I see little need for change in terms of the duty to bargain or the scope of bargaining.

It is true, however, that present law is lacking. Disputes between the parties with respect to the scope of bargaining and with the respect to the definition of various commonly understood duties of the parties in the collective bargaining process remain unresolvable except through expensive and costly litigation. The inadequate framework of the present law with respect to dispute resolution has not forestalled adversarial relationships nor has it forestalled strikes. These problems should be remedied.

I would support legislation establishing the Public Relations Employment Commission as the agency under whose auspices community college bargaining would occur. Legislation that empowered parties to resolve disputes between the parties in the bargaining process and provided mediation and conciliation services to the parties in the event of impasse would be most appropriate. I also would seriously consider legislation which prohibited strikes by community college faculty while providing an alternative process for final resolution of disputes.

For the reasons above stated, I have vetoed Engrossed House Bill No. 1219.

Respectfully submitted,
John Spellman, Governor.

March 28, 1984

To the Honorable, the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 13 and 17, Substitute House Bill No. 1262, entitled:

"AN ACT Relating to industrial development."

Substitute House Bill No. 1262 authorizes the use of umbrella industrial development revenue bonds by the Community Economic Revitalization Board (CERB).

The use of umbrella industrial development bonds in the state of Washington is acceptable and will be beneficial to the economic development of the state. However, section 13 relates to the operation of the Community Economic Revitalization Board's local government grant/loan program, and would place further restrictions on the use of CERB's loan and grant funds.

Section 17 would direct funds away from CERB's facilities construction loan revolving fund to the public works revolving fund established by Engrossed Substitute Senate Bill No. 4404. This would be contrary to legislative intent regarding the use of EAA's Public Facilities Revolving Account Funds.

For these reasons, I have vetoed sections 13 and 17 of Substitute House Bill No. 1262.

The remaining sections of the bill are approved.

Respectfully submitted,
John Spellman, Governor

March 28, 1984

To the Honorable, the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 3, Engrossed House Bill No. 1304, entitled:

"AN ACT Relating to teacher retirement."

The need for this section has not been demonstrated. If, indeed, any such change is necessary, it should be made after adequate study in a careful and deliberate manner to avoid adverse effects on the pension trust fund.

With the exception of section 3, Engrossed House Bill No. 1304 is approved.

Respectfully submitted,
John Spellman, Governor

March 5, 1984

To the Honorable, the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval Engrossed House Bill No. 1355 entitled:

"AN ACT Relating to payroll deductions for public employees."

Current law does not allow voluntary payroll deductions for contribution to political action committees. The law does, however, allow deductions for employee association dues, part of which can be and are used for participation in political campaigns.

I feel the current practice of voluntary contributions to whatever party a state employee may wish to support is working well. I am therefore not convinced that there is a demonstrated public need or problem which would support the approval of this bill.

Second, I believe that state government must, whenever possible, continue to observe and protect the policy of separating its operations from the activities of political campaigns.

For these reasons I have vetoed Engrossed House Bill No. 1355.

Respectfully submitted,
John Spellman, Governor

March 30, 1984

To the Honorable, the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval, as to certain sections, House Bill No. 1378, entitled:

"AN ACT Relating to public employees."

Portions of this bill would reestablish seniority as the sole factor in personnel decisions regarding salary increases, layoffs, and rehiring of state employees. Current law requires that both seniority and job performance be considered when such decisions are made.

In 1983, I expressed my support of the existing law in the veto message of a bill similar to this measure. No new evidence has since been presented to me that would justify a change in my position. To discard the modest performance achieved in 1982, as proposed in this bill, would be an unfortunate step backward in our continuing efforts to motivate and reward our best employees.

Substitute House Bill No. 1378 has provisions that do not relate to performance or seniority. One of these is the proposal that the ratio of management employees to direct service employees be maintained during hiring and layoffs. This provision was vetoed last year because it was too vague to enforce, inflexible, and may

force unintended layoffs of direct service workers. While I approve of a policy that maintains this ratio in layoffs, the above problems persist.

Other provisions of the bill cover the important aspect of mobility between personnel systems. Both the State Personnel Board and the Higher Education Personnel Board are about to adopt rules which will allow such mobility. In doing so, they will use existing authority for those rules. Rule making on this topic will allow greater flexibility in the system than will be permitted by this legislation.

The provisions of the bill dealing with extra sick leave for prison guards attacked on the job acknowledges the hazardous nature of employment in state prisons and other correctional facilities and are acceptable.

Therefore, I have vetoed the provisions of House Bill No. 1378 with the exception of section 19, which is approved.

Respectfully submitted,
John Spellman, Governor

March 7, 1984

To the Honorable, the House of Representatives
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 7, Engrossed Substitute House Bill No. 1456, entitled:

"AN ACT Relating to transitional bilingual instruction."

Section 7 of this bill prohibits the provision of transitional bilingual instruction to an individual student for more than three years. Federal and state courts have found that children with limited ability to speak English have a constitutional right to an appropriate program of special instruction. This right is based on the individual student's need for assistance in order to participate in the basic public education program offered in English for all children. Both the existing statutory provisions and the language I proposed in my Special Needs bill provide an opportunity for districts to provide transitional bilingual education for longer periods of time if termination of services would inhibit the child's access to a basic education.

With the exception of section 7, which I have vetoed, Engrossed Substitute House Bill No. 1456 is approved.

Respectfully submitted,
John Spellman, Governor

March 29, 1984

To the Honorable, the House of
Representatives of the State
of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 1462 entitled:

"AN ACT Relating to unemployment compensation for persons who quit work for a good cause or are remunerated through tips."

As passed by the legislature, this measure deals strictly with inclusion of tip income in the definition of wages on which employers must pay unemployment insurance taxes. Coupled with the enactment of Substitute Senate Bill No. 4416, a comprehensive revision of the state's unemployment insurance tax provisions including an increase in those taxes, I feel this bill will place an unreasonable financial burden on employers of employees who receive tips. I question whether this additional tax burden can be justified in the current economic circumstances without hindering employment in the hospitality industry or, at the very least, resulting in increased prices for the consumer.

For the above reasons, I have vetoed House Bill No. 1462.

Respectfully submitted,
John Spellman, Governor

March 5, 1984

To the Honorable, the House of
Representatives of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 3, 4, and 7, Engrossed Substitute House Bill No. 1511, entitled:

"AN ACT Relating to tourism development."

Engrossed Substitute House Bill No. 1511 creates the Washington State Tourism Development Commission to advise the Governor and the legislature on tourism development.

The concept of a commission to study the tourism program in this state and to report back to the Governor and the legislature is acceptable and should prove beneficial. However, the method of appointment of the commission and its make-up as designated in this legislation clearly circumvent the executive branch of state government. The work envisioned by this legislation can be accomplished in a more efficient and responsible manner consistent with constitutional principles regarding the separation of powers if that work is undertaken in the manner established in the Executive Order '84-03, a copy of which I have attached to this message. For these reasons, I have vetoed sections 3, 4, and 7 of Engrossed Substitute House Bill No. 1511.

The remaining sections of the bill are approved.

Respectfully submitted,
John Spellman, Governor

March 28, 1984

To the Honorable, the House of
Representatives of the State
of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to three sections engrossed Substitute House Bill No. 1652, entitled:

"AN ACT Relating to fireworks."

This bill embodies much needed language which will take the state a substantial way back down the road to a "safe and sane" policy with respect to Fourth of July fireworks.

Many have pointed out technical and conceptual flaws in the wording of this bill but with three exceptions, none of these arguments are convincing. The evidence is incontrovertible that the sale of dangerous fireworks over the last two years has resulted in destruction of property, including home fires, created a significant number of minor and sometimes major injuries, and seriously disrupted the peace and quiet of our State's citizenry over a substantial portion of the summer. All of this goes far beyond justifiable displays of patriotism on the anniversary of this nation's independence.

The concerns of the state's citizens and the threat posed by fireworks outweigh arguments in favor of delaying the effective date of this legislation. Therefore, I have vetoed Section 42 which contains the one year delay. This legislation will be come effective on June 7, 1984.

This bill provides for an option in counties, cities and towns to adopt more restrictive rules with respect to the types of fireworks that may be sold. Moreover, neither the state of Washington nor any local law enforcement agency has complete authority over sales by Indian tribes, some of which sales may be illegal under this legislation. Given this overlap of jurisdictional authority and given possible discrepancies in proscribed conduct, I am also vetoing Sections 38, and 39 of the bill.

Section 38 adopts a standard of strict liability with respect to damages awardable in any action for injury to person or property resulting from the sale of fireworks in violation of the Chapter. In short, the contributory fault of the claimant with respect to both purchasing illegal fireworks or improperly using those fireworks would not be chargeable to the claimant to diminish an award of compensatory damages. While I fully endorse the intent of this section to create incentives against the sale of illegal fireworks, I believe it will prove unfair and unworkable in view of the approach of the statute with regard to local option and with regard to problems presented by the sale of fireworks by Indian

tribes. I would support a more specialized approach to strict liability that referenced the sections of the statute that specifically prohibit types of fireworks.

Section 39 of this bill purports to prohibit the printing or broadcasting of any advertisement for the sale of fireworks "in violation of this Chapter." As worded, this section is vague. In application, I believe it will not only be vague but overly broad and thus violative of Constitutional protections for freedom of speech and expression.

With the exception of Sections 38, 39 and 42, the Engrossed Substitute House Bill 1652 is approved.

Respectfully submitted,
John Spellman, Governor

HISTORY OF HOUSE BILLS

NO.	Intro. & Committee 1st R'd'g Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
30.	32				
69.	325	388			
69. (Sub)		388	404		Ch. 92
71. (Sub)	32	65	102		
79. (Sub)				116	
85. (Sub)	32	208			
85. (2nd Sub)		208	223,940	940	Ch. 150
105. (Sub)			278, 1233	1232	Ch. 214
122.				65	
145.	32	65			
145. (Sub)		65	101		Ch. 40
152.			38		
181. (Sub)	33	208			
181. (2nd Sub)		208	222, 1350	1349	Ch. 222
217.			63, 903	902	Ch. 146
229.	339	386			
229. (Sub)		386	404		
255.	33	86			
255. (Sub)		86	117, 1104	1102- 1104	PV Ch. 250
257.	33				
271. (Sub)	340	441	441,989	989	Ch. 206
307. (Sub)	33,251	288			
307. (2nd Sub)		288	288		
342.		202			
342. (Sub)		202	217		

NO.	Intro. & Committee 1st R'd'g. Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
368.	33				
392.			63, 1382	932,1368, 1379- 1382	Ch. 203
401.		54	82		
411.			39		
412.			39		
448. (Sub)	81	119			
448. (2nd Sub)		119	141,935	935	Ch. 154
480. (Sub)	115	210	222, 1237	1236	Ch. 215
486.		54		54	
517.			52		
531.			40		
538. (Sub)	325				
543.	313				
551. (Sub)			52		
552. (Sub)			51, 1280	1105,1194, 1266, 1280	Ch. 217
571. (Sub)			40		Ch. 100
574.			41		
593.	340				
596.			200		Ch. 101
626.	34	87			
626. (Sub)		87	116,951	943-950	Ch. 155
669.	34	103			
669. (Sub)		103	200		
685. (Sub)			69		EdB
689. (Sub)	275	349			EdB

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
689. (2nd Sub)			349	349, 1269	985-988, 1174, 1250, 1266-1269	PV Ch. 282
699.	34		87			
699. (Sub)			87	117		Ch. 54
706.			53, 65	103, 990	990	Ch. 185
710.	82		203			
710. (Sub)			203	231		
711.			53			
711. (Sub)			53, 83-85	83, 85		
713. (Sub)	34, 251		295			
713. (2nd Sub)			295	296		Ch. 25
724.				40		
739.	373		440	440		Ch. 93
749. (Sub)				37		
761.	275		323			
761. (2nd Sub)			323-325	333		
791.	172		237			
791. (Sub)			237	238		Ch. 26
823.	34		65			
823. (Sub)			65	100		
827.	35		87			
827. (Sub)			87	118		Ch. 41
843.	35		87			
843. (Sub)			87	118, 1301	903, 912, 1176, 1269, 1279, 1292-1301	Ch. 184
857.	196		257			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
857. (Sub)			257	269,885	883-885	Ch. 144
860.		35				
863. (Sub)		196				
879.		139	224			
879. (Sub)			224	232		
880.			87	174, 1257	932,1175, 1237, 1257	PV Ch. 283
911.				38		
914.		341	391			
914. (Sub)			391	406,951	951	Ch. 202
915.			54			
915. (Sub)			54	83,886	885	Ch. 137
939.				64, 1206	932,1176, 1205	Ch. 213
977.		337	353			
977. (Sub)			353	365, 1307	1193,1285, 1306	Ch. 219
1017. (Sub)		35	65	101		Ch. 104
1083.		35	298			
1083. (Sub)			298-304	315,887	887	Ch. 138
1101.	6	115	210			
1101. (Sub)			210	221		Ch. 27
1102.	7					
1103.	7	184	226	232		Ch. 4
1104.	7	82			119	
1105.	7	185	257			
1105. (Sub)			257	268,933	933	Ch. 156
1106.	7	196	256			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1106. (Sub)			256	267,992	990-992	Ch. 273
1107.	7	172	237	237		Ch. 28
1108.	7	196	237	237		Ch. 29
1109.	7					
1110.	8	197	236	236		Ch. 30
1111.	8				67	
1112.	8					
1113.	8					
1114.	8					
1115.	8					
1116.	8					
1117.	8					
1118.	9	329	478			
1118. (Sub)			478	479		Ch. 42
1119.	9	185	256	268		Ch. 102
1120.	9	172	209	219		Ch. 43
1121.	9	172	209	219		Ch. 55
1122.	9					
1123.	9	229	282			
1123. (Sub)			282	294,995	993-995	Vetoed
1124.	9	229	304			
1124. (Sub)			304	304, 1020	996- 1020	Ch. 186
1125.	12	341	387			
1125. (Sub)			387	387,934	933	Ch. 157
1126.	12					
1127.	12	205	257			
1127. (Sub)			257	267,913	912	Ch. 147

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1128.	12	197	236	236		Ch. 44
1129.	12	98	141	188		
1130.	12	229				
1131.	12					
1132.	12					
1133.	13	82	120-122	235, 1251	935, 1228, 1251	Ch. 216
1134.	13	341	433			
1134. (Sub)			433	434		
1135.	13	172	223	233, 914	913	Ch. 148
1136.	14	197	240			
1136. (Sub)			240	241		
1137.	14	185, 214, 326	381			
1137. (2nd Sub)			381-383	383, 937	935-937	Ch. 158
1138.	14	214	270	270, 1105	1105	Ch. 253
1139.	14	214	286			
1139. (Sub)			286	287		
1140.	14					
1141.	14					
1142.	14	197	295	295, 938	937	Ch. 159
1143.	14					
1144.	14	289				
1145.	15					
1146.	15	99	141			
1146. (Sub)			141	186		Ch. 171
1147.	15	185	255	266		Ch. 451
1148.	15					Ch. 2, 801

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1149.	15	185	272	281, 1021	1021	Ch. 207
1150.	15					
1151.	15	275				
1152.	15					
1153.	15	373	422			
1153. (Sub)			422	422		Ch. 96
1154.	15					
1155.	17					
1156.	17	115	175			
1156. (Sub)			175-183	183, 1432	1114-1157, 1389- 1432	PV Ch. 285
1157.	18	115	190			
1157. (Sub)			190-194	194, 1347	1181-1192, 1328,1335- 1347	Ch. 182
1158.	18					
1159.	18	99	141	187, 1056	1021- 1056	PV Ch. 287
1160.	20	99	210	221		
1161.	20	173	368			
1162.	20	116	202	217		Ch. 80
1163.	20	275	321			
1163. (Sub)			321	321, 1225	966-970, 1176, 1225	PV Ch. 280
1164.	21	215	270			
1164. (Sub)			270	279,917	914-917	PV Ch. 123
1165.	21	276	358			
1165. (Sub)			358	365		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1166.	21	173	210	219		Ch. 46
1167.	21					
1168.	21					
1169.	21	215	287			
1169. (Sub)			287	315		
1170.	21	205	238			
1170. (Sub)			238	238		
1171.	21	361	448-449	450		
1172.	21	276	335			
1172. (Sub)			335-337			
1173.	22					
1174.	22	276.330	372		309	
1174. (2nd Sub)			372	372, 1057	1056	Ch. 277
1175.	22	373				
1176.	22	276				
1177.	22	259	296			
1177. (Sub)			296	316		
1178.	22	252	296			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1178. (Sub)			296	296, 1166	974-985, 1166	PV Ch. 279
1179.	23	82	119			
1179. (Sub)			119	142		Ch. 56
1180.	23					
1181.	23	205	238			
1181. (Sub)			238	266		
1182.	23					
1183.	23	272	355			
1183. (Sub)			355	356		
1184.	24	341				
1185.	24	373			453,459	
1186.	24					
1187.	24	140	212			
1187. (Sub)			212-213	220,939	939	Ch. 208
1188.	24	198	226			
1188. (Sub)			226	234		Ch. 31
1189.	26					
1190.	26	226	256	279, 1365	1365	Ch. 271
1191.	26	292	359			
1191. (Sub)			359	359, 1059	1058	Ch. 187
1192.	26	99	208	222		Ch. 47
1193.	26	140,198	254			
1193. (Sub)			254	264		
1194.	27	229	271	271, 1366	1365	Ch. 269
1195.	27	226	256	280		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1196.	27	714				
1197.	27	252	286			
1197. (Sub)			286	286		
1198.	27					
1199.	27					
1200.	27	198	226			
1200. (Sub)			226	234		Ch. 2
1201.	27	515	557	557, 1320	1271-1273, 1319	Ch. 220
1202.	28					
1203.	28					
1204.	28	227	254			
1204. (Sub)			254	264		
1205.	29	140,198	255			
1205. (Sub)			255	265,888	887	Ch. 139
1206.	29					
1207.	29	140,198	255			
1207. (Sub)			255	265		Ch. 57
1208.	29					
1209.	29	515	557	558		
1210.	47	99	141			
1210. (Sub)			141	187		Ch. 48
1211.	47					
1212.	47	229				
1213.	47	116	202			
1213. (Sub)			202	218,917	917	Ch. 149
1214.	49					
1215.	49					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1216.	49					
1217.	50					
1218.	50	205	239	239	940	Ch. 189
1219.	50	215	322	334,941	941	Vetoed
1220.	50					
1221.	50					
1222.	50					
1223.	50					
1224.	51					
1225.	56					
1226.	56					
1227.	57	259	369			
1227. (Sub)			360	406		Ch. 82
1228.	57	207,215				
1229.	57					
1230.	57	308				
1231.	57	116,714	941		122	
1231. (2nd Sub)			941	942, 1327	1321- 1327	Ch. 221
1232.	57					
1233.	57					
1234.	58	330	394			
1234. (Sub)			394	407		
1235.	58	330				
1236.	58					
1237.	58					
1238.	58	308	450			
1238. (Sub)			450	451		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1239.	58					
1240.	59					
1241.	59	361	451			
1241. (Sub)			451	451		
1242.	59					
1243.	59					
1244.	59					
1245.	59					
1246.	601	230,292, tc341 414				
1246. (Sub)			414-416	416, 1388	1106-1110, 1301,1383- 1388	Ch. 278
1247.	60	173	210			
1247. (Sub)			210	218, 1075	1059- 1075	Ch. 209
1248.	60	100	141	187,918	918	Ch. 141
1249.	60					
1250.	60	215	422	423	423	
1251.	61					
1252.	61					
1253.	61	100	140	189		
1254.	61	216	256	269		Ch. 5
1255.	61					
1256.	61					
1257.	61					
1258.	61	342	391	391		
1259.	61				142	
1260.	68					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1261.	68					
1262.	69	276	351		194	
1262. (Sub)			351	352, 1167	988, 1167	PV Ch. 257
1263.	69					
1264.	69					
1265.	69	362				
1266.	70	342	379			
1266. (Sub)			379	380		Ch. 81
1267.	70					
1268.	71	230	271			
1268. (Sub)			271	271		Ch. 266
1269.	71					
1270.	71	252	297			
1270. (Sub)			297	316		Ch. 58
1271.	71					
1272.	71					
1273.	71					
1274.	72					
1275.	72	527	558			
1275. (Sub)			558	558		Ch. 192
1276.	72					
1277.	72					
1278.	72					
1279.	72	252	319			
1279. (Sub)			319-321	321, 1076	1075	Ch. 210
1280.	72					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1281.	73					
1282.	74	326	433			
1282. (Sub)			433	433,919	918	Ch. 142
1283.	74					
1284.	74					
1285.	74	259				
1286.	74					
1287.	74	199	240	240		
1288.	75	342				
1289.	75					
1290.	75					
1291.	75					
1292.	75	289	372	372	194	
1293.	75	308				
1294.	75	186,252				
1295.	75	342	424	424		Ch. 83
1296.	75					
1297.	76	308	385			
1297. (Sub)			385	385		
1298.	76					
1299.	76					
1300.	76					
1301.	76					
1302.	76	277	383			
1302. (Sub)			383	384		Ch. 49
1303.	76					
1304.	76	216	256	280, 1274	1273	PV Ch. 256

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1305.	77					
1306.	77					
1307.	77					
1308.	77					
1309.	77	330	479			
1309. (Sub)			479	479		
1310.	77					
1311.	77	343	420			
1311. (Sub)			420	420,954	952-954	Ch. 160
1312.	77					
1313.	77					
1314.	78					
1315.	78					
1316.	78					
1317.	78					
1318.	78					
1319.	78	292	356	356		Ch. 193
1320.	78					
1321.	78					
1322.	78					
1323.	78					
1324.	79					
1325.	79					
1326.	79	186,252				
1327.	79					
1328.	79	253	304	304		Ch. 97
1329.	80					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1330.	80	330				
1331.	80					
1332.	80					
1333.	80				200	
1334.	80	253	307			
1334. (Sub)			307	317		Ch. 50
1335.	80					
1336.	80					
1337.	81					
1338.	89					
1339.	89					
1340.	90					
1341.	90	313	438			
1341. (Sub)			438	438		
1342.	90					
1343.	90					
1344.	90	289,362	416			
1344. (2nd Sub)			416	417		
1345.	90					
1346.	90	308	447	447		
1347.	90					
1348.	91	230	284	284,888	888	Ch. 105
1349.	91					
1350.	91					
1351.	91					
1352.	91					
1353.	91	343				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1354.	91					
1355.	92	272	305-307	333		Vetoed
1356.	92					
1357.	92					
1358.	92					
1359.	92					
1360.	92	253				
1361.	92	331	441	442		Ch. 59
1362.	92	374	480			
1362. (Sub)			480-482, 483-485	485		
1363.	92	362	417			
1363. (Sub)			417	418		
1364.	93					
1365.	93	343	421			
1365. (Sub)			421	421		
1366.	93					
1367.	93	331	380			
1367. (Sub)			380	381		
1368.	93					
1369.	93	273	322	322		
1370.	93					
1371.	93					
1372.	93					
1373.	93	326	351	351		Ch. 94
1374.	94					
1375.	94					
1376.	95					

NO.	Intro.	1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1377.	95						
1378.	95	293		357	366, 1077	1076	PV Ch. 284
1379.	96	293				357	
1380.	96	343		386			
1380. (Sub)				386	387		
1381.	96						
1382.	96						
1383.	97						
1384.	97	309					
1385.	97						
1386.	97	277		355	355, 1284	970-974, 1228,1281- 1284	Ch. 218
1387.	97	293					
1388.	97						
1389.	98						
1390.	98	253		297			
1390. (Sub)				297	297		Ch. 51
1391.	106						
1392.	107						
1393.	107						
1394.	107						
1395.	107	343		432	433		Ch. 84
1396.	107	260					
1397.	107						
1398.	107						
1399.	107						
1400.	107	344		436			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1400. (Sub)			436	436		Ch. 98
1401.	108					
1402.	108	331	353	353	242	
1403.	108					
1404.	108	260				
1405.	108					
1406.	108	277			142	
1407.	108	362	452			
1407. (Sub)			452	452		Ch. 60
1408.	109	293	368	368		
1409.	109	326	394	394		Ch. 99
1410.	109					
1411.	109					
1412.	109					
1413.	109	186	256	280,926	919-925	Ch. 143
1414.	110					
1415.	110	344	411			
1415. (Sub)			411	411		Ch. 106
1416.	110	337	436	436		Ch. 52
1417.	110					
1418.	110	260	319			
1418. (Sub)			319	319		Ch. 32
1419.	110	331	452	452		Ch. 107
1420.	110					
1421.	110					
1422.	111	309	369			
1422. (Sub)			369			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1423.	111	253	285	286		Ch. 6
1424.	111					
1425.	111					
1426.	111					
1427.	112	230	283	283,926	926	Ch. 145
1428.	112					
1429.	112	527	558			
1429. (Sub)			558-560			
1430.	112					
1431.	112					
1432.	112					
1433.	112					
1434.	113					
1435.	113	344	395			
1435. (Sub)			395	395		Ch. 8
1436.	113					
1437.	113					
1438.	113	332	421			
1438. (Sub)			421	421,1078	1077	Ch. 254
1439.	113	216	298			
1439. (Sub)			298	318,889	889	Ch. 140
1440.	113					
1441.	114					
1442.	114					
1443.	123					
1444.	123					
1445.	123					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1446.	123					
1447.	123					
1448.	124					
1449.	124	199	241			
1449. (Sub)			241	241	889-891	
1450.	124	363				
1451.	124					
1452.	124					
1453.	124					
1454.	124					
1455.	124					
1456.	125	199	241			
1456. (Sub)			241	242,928	927-928	PV Ch. 124
1457.	125					
1458.	125					
1459.	125				173	
1460.	125					
1461.	126					
1462.	126	216	432	432, 1306	1111, 1306	Vetoed
1463.	126					
1464.	126	363				
1465.	126					
1466.	126					
1467.	126					
1468.	126					
1469.	127					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1470.	127					
1471.	127	230	593			
1471. (Sub)			593, 600-614	1163	1163, 1206	
1472.	127					
1473.	127					
1474.	127					
1475.	127					
1476.	127				309	
1477.	128					
1478.	128					
1479.	128					
1480.	128					
1481.	128					
1482.	128					
1483.	128					
1484.	128					
1485.	129					
1486.	129					
1487.	129					
1488.	129					
1489.	129					
1490.	129				143	
1491.	129	332				
1492.	129				173	
1493.	129	374	450	450		
1494.	129					
1495.	129	289				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1496.	130				143	
1497.	130					
1498.	130					
1499.	130	363				
1500.	130					
1501.	130					
1502.	130				194	
1503.	130					
1504.	130					
1505.	130					
1506.	130					
1507.	131	338	434	435		
1508.	131					
1509.	131	260	319	334		Ch. 248
1510.	131					
1511.	131	344	460		459	
1511. (Sub)			460-464	464		PV Ch. 122
1512.	131					
1513.	131					
1514.	131	344	442			
1514. (Sub)			442	442, 1079	1079	Ch. 272
1515.	132	345				
1516.	132					
1517.	1321	338	380	380		Ch. 85
1518.	132					
1519.	132	332	381	407	407,473	

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1520.	132	345				
1521.	132					
1522.	132					
1523.	132					
1524.	132	345				
1525.	133					
1526.	133	260	323	323, 1080	1079	Ch. 188
1527.	133,145					
1528.	133					
1529.	133	261	354	354		
1530.	133	231	283	283		Ch. 108
1531.	134	309	423			
1531. (Sub)			423	424, 1201	1201	Ch. 212
1532.	134					
1533.	134					
1534.	134					
1535.	134					
1536.	134					
1537.	134					
1538.	134					
1539.	135	345	412			
1539. (Sub)			412	412		Ch. 86
1540.	135					
1541.	135					
1542.	135	374	389		173	
1542. (Sub)			389	389		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1543.	135	332				
1544.	135					
1545.	135					
1546.	135					
1547.	135	313	354			
1547. (Sub)			354	354		Ch. 109
1548.	135	313	354			
1548. (Sub)			354	366, 1081	1081	Ch. 211
1549.	136					
1550.	136					
1551.	136					
1552.	136					
1553.	136					
1554.	137					
1555.	137					
1556.	138	375				
1557.	138					
1558.	138	345	394			
1558. (Sub)			394	409	409	
1559.	138					
1560.	138					
1561.	138					
1562.	138	261	370-371, 384	385		
1563.	145					
1564.	145	261	322			
1564. (Sub)			322	322, 1082	1082	Ch. 190

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1565.	145	346	411			
1565. (Sub)			411	411		
1566.	145	261				
1567.	146					
1568.	146					
1569.	146					
1570.	146					
1571.	146					
1572.	146					
1573.	146					
1574.	146					
1575.	146					
1576.	147	375				
1577.	147					
1578.	147					
1579.	147					
1580.	147					
1581.	147	314				
1582.	147	332	352		227	
1582. (Sub)			352	353		Ch. 110
1583.	147					
1584.	148	376	442			
1584. (Sub)			442	443,447	446	
1585.	148					
1586.	148					
1587.	148					
1588.	148					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1589.	149	346	459		459	
1589. (Sub)			459	460		
1590.	149					
1591.	149					
1592.	149					
1593.	150					
1594.	151					
1595.	151					
1596.	151				173	
1597.	152					
1598.	152					
1599.	152					
1600.	152	254.326	379			
1600. (2nd Sub)			379	379		
1601.	152					
1602.	152					
1603.	152					
1604.	152					
1605.	152	346	390			
1605. (Sub)			390	390		
1606.	153					
1607.	153					
1608.	153					
1609.	153					
1610.	153					
1611.	153					
1612.	153					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1613.	153	254	285			
1613. (Sub)			285	285. 1330	955.1302. 1328- 1330	Ch. 267
1614.	153					
1615.	154					
1616.	154					
1716.	154					
1618.	154	376			194	
1619.	154	376				
1620.	154	332				
1621.	154					
1622.	154					
1623.	155					
1624.	155	333	440			
1624. (Sub)			440	440		
1625.	155	377	439			
1625. (Sub)			439	440		Ch. 3
1626.	155					
1627.	155	346	435			
1627. (Sub)			435	435. 1094	1083- 1094	Ch. 260
1628.	155					
1629.	155					
1630.	156					
1631.	156					
1632.	156					
1633.	156					
1634.	156					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1635.	156	261				
1636.	156	207,261	350	350	227,955	
1637.	156	277	453		437	
1637. (Sub)			453-458	459,961	956-960	Ch. 161
1638.	157	293,333			227	
1639.	157					
1640.	157					
1641.	157					
1642.	157					
1643.	157					
1644.	157				194	
1645.	157					
1646.	157	624				
1647.	158					
1648.	158					
1649.	158	346	446	446, 1098	194, 1098	Ch. 191
1650.	158					
1651.	158					
1652.	158	277	359			
1652. (Sub)			359-361	367, 1231	985,1228- 1230	PV Ch. 249
1653.	159	347				
1654.	159	363				
1655.	159	314	384			
1655. (Sub)			384	409,962	961	Ch. 162
1656.	159					
1657.	159					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1658.	159					
1659.	159					
1660.	160	294.363	418			
1660. (2nd Sub)			418	419	1157-1162, 1270.1302, 1434-1439	
1661.	160					
1662.	160					
1663.	160					
1664.	160					
1665.	160					
1666.	161	347	393			
1666. (Sub)			393	393		Ch. 103
1667.	161					
1668.	161	347	412			
1668. (Sub)			412	412		Ch. 61
1669.	161					
1670.	161					
1671.	161	377				
1672.	161					
1673.	162				173	
1674.	162					
1675.	162					
1676.	162	377				
1677.	162					
1678.	162					
1679.	162					
1680.	162					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1681.	162					
1682.	163					
1683.	163					
1684.	163					
1685.	163					
1686.	163					
1687.	163	347	392			
1687. (Sub)			392	410		Ch. 95
1688.	163					
1689.	163					
1690.	163					
1691.	163	216,262	350			
1691. (Sub)			350	351		
1692.	164					
1693.	164					
1694.	164					
1695.	164					
1696.	164				524	
1697.	164					
1698.	164	254	297			
1698. (Sub)			297	298		Ch. 62
1699.	164					
1700.	165	327	389		242	
1700. (Sub)			389	389		
1701.	165					
1702.	165	377				
1703.	165					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1704.	165					
1705.	165					
1706.	165					
1707.	165					
1708.	165					
1709.	166					
1710.	166					
1711.	166					
1712.	166					
1713.	166					
1714.	166					
1715.	166					
1716.	166					
1717.	166					
1718.	166					
1719.	166					
1720.	166					
1721.	166					
1722.	167		294			
1723.	167					
1724.	167		294			
1725.	167					
1726.	167					
1727.	167					
1728.	167					
1729.	167					
1730.	167					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1731.	167					
1732.	167					
1733.	167					
1734.	167					
1735.	168					
1736.	168					
1737.	168					
1738.	168					
1739.	168					
1740.	168					
1741.	168					
1742.	168					
1743.	168					
1744.	168					
1745.	168					
1746.	168					
1747.	168					
1748.	168					
1749.	168					
1750.	169					
1751.	169					
1752.	169					
1753.	169					
1754.	169					
1755.	169					
1756.	169					
1757.	169					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1758.	169	230	378		437	
1759.	169					
1760.	169					
1761.	169					
1762.	169					
1763.	169					
1764.	170					
1765.	170					
1766.	170					
1767.	170					
1768.	170					
1769.	170					
1770.	170					
1771.	170					
1772.	170					
1773.	170					
1774.	170					
1775.	170					
1776.	170					
1777.	170					
1778.	170	199	225			
1778. (Sub)			225	225		Ch. 1

HISTORY OF HOUSE JOINT MEMORIALS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
16.				37,1174	989,1174	
30.		35	65	102		
33.	29	207	284	284		
34.	29	347	413	413	30	
35.	98					
36.	98					
37.	114	314	431	431, 1099	173, 1099	
38.	114	314			173	
39.	138	378				
40.	139					
41.	171					
42.	171		239	266		

HISTORY OF HOUSE JOINT RESOLUTIONS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
18.		36				
29. (Sub)		36	66			
29. (2nd Sub)			66	118		
42.	30					
43.	30					
44.	30	100	210	220		
45.	81					
46.	81					
47.	81					
48.	98					
49.	139					
50.	139					
51.	139					
52.	139					
53.	171					
54.	171					
55.	171					
56.	171					

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
12.			104,119			
31.	3		3	3		
32.	30		30	32		
33.	62	775				
34.	62		104	104		
35.	139		201	201		
36.	171					
37.	171					
38.	214		214	214		
39.	228	278	318	318		
40.	311					
41.	584		1317	1317		
42.	596					
43.	714					
44.	799		1334	1335		
45.	857					
46.	1289		1317	1317		
47.	1443		1443	1443		

HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER AND SUBJECT	Introduced	Other Action	Adopted
103. Notify Senate; House organized.	2		2
104. M.L. King, Jr. birthday.	105		106
105. Wenatchee girls' volleyball.	142		143
106. Air Canada Silver Broom/curling.	143		143
107. Bellevue AAA football champs.	413		413
109. Naval carrier battle group/support.	211		211
110. China: 7000 yrs of Discovery.	257		258
111. Productivity brd/emplye sgstn.	189		190
112. Commun. colleges student commend.	204		204
113. Yasser Seirawan/chess champion.	195		196
114. Inaugural reaction WPPSS II.	211		211
115. Phone access telecom tariffs.	211		212
116. Rosalynn Sumners best wishes.	212		212
117. WA/OR ad hoc tax committee.*	242	242-244	244
119. Marv Harshman/Husky BB coach.	263		263
120. Steve Faulkner rescue commendation.	309		310
122. Susan B. Anthony Day.	517		518
123. Lake WA school project 2001.	430		430
124. Boy Scouts, recognition.	403		403
125. Pac NW trade expo commendation.	470		470
127. Henry M. Jackson Parkway.	508		508
128. Ridgefield girls' volleyball.	592		593
129. Lions Clubs, commendation.	508		509
130. National Agriculture Day.	518		518
131. John Fluke, Sr./memorium.	513		513
132. Debbie Armstrong/Olympic gold.	560		561
133. Kelso High Band commendation.	965		965
134. Kelso High football team commend.	901		902
135. Kelso Centennial Year.	881		882
136. Nancy Reagan commendation.	1312		1313
137. Ruiz & Costie/sync. swim.	580		581
138. Bonnie Dunbar/Spacelab, recog.	581		581
139. National Vocational Ed Week.	561		561
140. Pasco Centennial.	823		823
141. Phil & Steve Mahre/gold & silver.	599		600
142. Fall City Passion Play/commend.	882		882
143. Walla Walla wrestling champs.	1101		1102
144. Auburn High cheerleaders, commend.	1097		1097
145. Rosalynn Sumners Olympic silver.	799		799

NUMBER AND SUBJECT	Introduced	Other Action	Adopted
146. State Olympics medal winners.	800		800
147. DeMolay appreciation.	1101		1101
148. Roozens' bulb co. daffodils.	902		902
149. WWU women's BB team.	929		929
150. WA Dairy Family/Youngren.	965		965
151. Joe Brownlow retirement.	965		966
152. Exercise Your Constitution Project.	1196		1196
153. Legis. history/Jt Select Cmmttee.	1308	1308.1333	1334
154. Sentencing Guidelines Commission.	1196		1197
155. Franklin High renovation.	1288		1288
156. Girl Scout Week.	1096		1096
157. Marianne McCusker, page/honoring.	1101		1101
158. Community Colleges faculty.*	1197		1198
160. Interscholastic activities.*	1309		1309
161. Schools' commendation.	1246		1247
163. Lobbying activities/Init 276.*	1309		1309
166. Displaced workers' problems.*	1311		1312
167. Steilacoom High BB team.	1249		1250
168. Julie Brown/marathon commendation.	1238		1238
169. Brewster High BB team.	1250		1250
170. Joe Schilling/Jefferson Award.	1252		1252
171. Douglas County Centennial.	1309		1310
173. Lakes High swim team.	1310		1310
174. British Columbia commendation.	1310		1311
176. CWU Wildcats swim team.	1311		1311
179. Interim business/House.	1348		1349
180. New counties/Local Gov.*	1372		1372
183. Dan Dawson commendation.	1441		1442
188. Indefinitely postpone bills.	1440		1440
189. Notify Senate sine die.	1442		1442

* Studies

HISTORY OF SENATE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3001.	228					
3003. (Sub)	174					
3021. (Sub)	172					
3044.	328	477,931	1162	1198	1194	Ch. 232
3045.	81	547				
3051. (2nd Sub)	62	562				
3059.	259	714	844	844		Ch. 127
3064. (Sub)	425	715	828	828	445	Ch. 126
3074. (Sub)	114	262	473	474	142	PV Ch. 9
3083.	184					
3092.	291					
3098. (Sub)	98	624	820	820		Ch. 163
3099.	174					
3103. (Sub)	174	490	510	510		Ch. 128
3117.	62	596	801	801		Ch. 68
3118.	62	547	616	616		Ch. 63
3119.	62					
3121.	175					
3128.	62	498	523	524		Ch. 129
3132.	62	492	510	510		Ch. 14
3133. (Sub)	274	596	768	768		Ch. 69
3152. (Sub)	114					
3158. (2nd Sub)	291	528	540	540		Ch. 130
3169. (Sub)	1195	1275	1369- 1371	1371		Ch. 240
3178. (Sub)	114	715	844	845		Ch. 131

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3181. (Sub)	62	499	524	539, 1211	1111,1199, 1209	Ch. 233
3187. (2nd Sub)	114	1285				
3193. (2nd Sub)	425	584	810	810, 1249	974,1168, 1238,1247- 1249	Ch. 255
3194. (Sub)	311	478	511	511, 1314	1112,1279, 1313	Ch. 241
3208.	397	528	616-619	619		Ch. 64
3223. (Sub)	467	625	824	825		
3238. (Sub)	467	625	771	771		Ch. 125
3240.	467					
3243.	467					
3259. (Sub)	114					
3262.	274	528	540	541		Ch. 132
3264.	172				173	
3267. (Sub)	799					
3276. (Sub)	175					
3287. (Sub)	425	719	865-867	867		Vetoed
3309.	175					
3312.	426					
3376.	291	529	541	541		Ch. 20
3379.	81	547	583	583		Ch. 33
3385. (Sub)	1195					
3387. (Sub)	62					
3415. (Sub)	228	586	771-774	774	1112	
3429. (Sub)	228	493	511	519, 1212	974,1199, 1211	Ch. 234
3437.	62	500	539	539		Ch. 133
3438.	114					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3449.	184	533	554	554		Vetoed
3485.	426					
3488.	397	533	548			
3504. (Sub)	98	626	843,849	850		Ch. 111
3507.	311	562				
3521.	312					
3561. (Sub)	467	626	814,818	818		Ch. 134
3616. (Sub)	98	472	487	487		Ch. 164
3617. (2nd Sub)	312					
3620. (Sub)	426	587	764	764		Ch. 88
3622. (Sub)	274	775	821			
3636. (2nd Sub)	214					
3654. (Sub)	397					
3740. (Sub)	426	719	848	848		Ch. 165
3741. (Sub)	63					
3758. (sub)	291	596	800	800		Ch. 166
3777.	251					
3800. (Sub)	397	587,720				
3814. (Sub)	274					
3815. (2nd Sub)	426	720	852	852	1112	Ch. 235
3827. (Sub)	312	515	821	872	1112	Ch. 223
3834.	312	775	834	835		Ch. 112
3838. (Sub)	115					
3849. (Sub)	328	515	541	541		Ch. 167
3868. (Sub)	63	378	511	512		Ch. 168
3901. (Sub)	426	775	836	857		Ch. 169
3926. (Sub)	1195	1263	1291	1291		Ch. 242

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3942. (Sub)	1367		1367	1368		Ch. 264
3982. (2nd Sub)	444	776				
3984. (Sub)	81	563	763	763		Ch. 170
4018.	63					
4050. (Sub)	426	597	769	769		Ch. 171
4055. (Sub)	397	720				
4069.	328					
4110. (Sub)	397	597	853	853		Ch. 53
4111. (Sub)	98	501	524	524		Ch. 276
4170.	467					
4220. (Sub)	467	626	821	822	561	Ch. 89
4228.	292	627	769,774	804,1193	1193	Ch. 268
4237.	63					
4274. (Sub)	312	516	542	542		Ch. 10
4275.	467	721	842	842	1202	Ch. 236
4286.	312	777	835	836		Ch. 135
4287. (Sub)	312	472	488	488		Ch. 11
4288. (Sub)	312	721	837	838		Ch. 113
4289.	292	472	488	488		Ch. 12
4290.	312					
4291.	398					
4300.	467	777	814	815		Ch. 70
4301.	426	493	520	520		Ch. 172
4302. (Sub)	398	721	841	842		PV Ch. 153
4303. (Sub)	398				482	
4304.	398	473	489	489		Ch. 134

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4306. (Sub)	471	563	766	766. 1315	1113.1287, 1314	Ch. 243
4309.	195	533	555	555, 1215	1113.1199, 1212-1215	Ch. 262
4312.	398	536	556	556		Ch. 34
4313. (Sub)	468	564	762	762		Ch. 91
4316. (Sub)	292					
4320.	329	516	544	545		Ch. 136
4321. (Sub)	426	778	861	861		Ch. 152
4325. (Sub)	444	627	815-817	870		Ch. 173
4326. (Sub)	398	564				
4327.	292					
4329. (Sub)	477	588	764-766	804		Ch. 174
4332. (Sub)	398	548	620	621		Ch. 177
4334. (Sub)	398	493	512	512		Ch. 24
4335.	398					
4338.	426	564	831-833	833	1166	Ch. 224
4339.	329	548,589				
4340. (Sub)	1195					
4341.	398	493	519	520		Ch. 15
4342.	468	507	525	525	482	Ch. 16
4343. (Sub)	468	597	849	849	1166	Ch. 194
4345.	312	549	622	622		Ch. 65
4347.	399					
4348.	399	627	819	819		Ch. 71
4350.	339					
4351.	399	550	622	622		Ch. 66
4352.	426	732	854	854		Ch. 114

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4357. (Sub)	427	530	542	542		Ch. 21
4358.	184	628	813-814	824		Ch. 115
4361.	399					
4362. (Sub)	399	732	846	846		Ch. 274
4367. (Sub)	329	589	811	811		Ch. 72
4371.	339	597	807	807		Ch. 73
4373. (Sub)	399					
4374.	399	628	834	834		Ch. 116
4376.	399	590	619	620		Ch. 225
4379. (Sub)	468					
4380. (2nd Sub)	399	493	520	521		Ch. 17
4381. (Sub)	427	733	868	869, 1378	1113,1270, 1373-1378	Vetoed
4388.	427	598	803	803		Ch. 74
4394.	399					
4395.	339	628				
4398.	329					
4401.	427	630	819	819		Ch. 195
4402. (Sub)	489				489	
4403. (Sub)	468	581,778	873-880	880, 1364	581,974, 1166,1288, 1351-1363	PV Ch. 288
4404. (Sub)	292	493,1263	1291	1366		Ch. 244
4407.	468	631	830	830, 1289	1175,1237, 1271,1289	Ch. 245
4409.	1195				1290	
4410.	399					
4412.	1196					
4415. (Sub)	400	598	803	804		Ch. 178

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4416. (Sub)	857	892	954, 1233	1234		Ch. 205
4419. (Sub)	329	565	827	827		Ch. 226
4421.	1263	1286	1302- 1305	1305		Ch. 204
4422.	477	1264	1433	1433	514	
4423. (Sub)	444	550	622	623		Ch. 90
4426.	400					
4428.	400	550	623	623		Ch. 67
4430. (Sub)	471	631	806	806		PV Ch. 258
4432.	468	705	802	803		Ch. 265
4435. (Sub)	468	738	864	865, 1224	1113,1200, 1216-1224	Ch. 270
4437.	427	566	826	826		Ch. 117
4439.	427	598	807	807		Ch. 76
4443. (Sub)	400	550	624	624		Ch. 252
4445.	400	706	826	827	1166	Ch. 196
4448. (Sub)	468	746	862	862, 1242	1175,1231, 1241	PV Ch. 281
4449. (Sub)	329					
4457.	1196					
4460.	312	478	521	521		Ch. 18
4463.	400	530			583	
4469.	400	536	556	556		Ch. 35
4475.	400	516	543	543		Ch. 39
4477. (Sub)	468	747	833	833		Ch. 227

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4484. (Sub)	427	790	850	851, 871	852	PV Ch. 286
4489. (Sub)	427	748	867	867		Ch. 179
4490. (Sub)	469	748	838- 841	870, 1332	1113,1200, 1275-1278, 1313,1331	PV Ch. 251
4491.	427	751	861	862		Ch. 118
4494. (Sub)	444	507,792	847	847	930	PV Ch. 151
4500.	427	751	854	854		Ch. 228
4503. (Sub)	469	478	521	521		Ch. 19
4504.	400	752	1253- 1256	1256		Ch. 247
4506.	427	530	543	544		Ch. 37
4512. (Sub)	400					
4513.	400	598	770	770		Ch. 75
4514.	329					
4516.	428					
4519.	469					
4525. (Sub)	1241					
4527.	428	753	862	862		Ch. 119
4529. (Sub)	428	566				
4532.	428	598	802	802	1166	Ch. 197
4534.	428	507	526	526		
4537. (Sub)	469					
4541. (Sub)	401	567	763	763		Ch. 263
4558.	428	552				
4559. (Sub)	401					
4560. (Sub)	428	516	545	553		Ch. 275

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4561.	469	536	556	556		PV Ch. 38
4576. (Sub)	401	575				
4578. (Sub)	445	577	767	767, 1207	1114, 1207	Ch. 183
4579. (Sub)	428	753	872	872	1114	Ch. 198
4592.	428	793	864	864		Ch. 120
4607.	428	578	766	805, 1208	1114, 1208	Ch. 237
4619.	401	706	851	852, 1246	1175,1231, 1243-1246	Ch. 238
4620. (Sub)	428	537	557	557		Ch. 36
4623. (Sub)	429	793				
4626. (Sub)	469					
4628. (Sub)	401	578	810	810		Ch. 199
4637.	401					
4639.	401					
4640.	401					
4642.	329	494	522	522		Ch. 23
4643.	471					
4647. (Sub)	401	494	522	523		PV Ch. 259
4650.	401	709	820	821		Ch. 229
4651.	402				482	
4653.	429	709	829	829	1114	Ch. 261
4661.	469					
4666. (Sub)	429					
4667. (Sub)	429					
4668.	445	711	817	817		Ch. 77
4678.	471					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4689.	429					
4696.	445	599	801	801		Vetoed
4706. (Sub)	445					
4708. (Sub)	402	711	863	864		Ch. 200
4709. (Sub)	445	755			470	
4710. (Sub)	429	793				
4711. (Sub)	402	591	811	811		Ch. 230
4722. (Sub)	469	579				
4730. (Sub)	402	759	843	843	470	Ch. 201
4731.	469	712	829	829		Ch. 121
4758. (Sub)	429	592	812	812		Ch. 78
4773.	445	793	817	817		Ch. 79
4775. (Sub)	402	579	767	767		Ch. 87
4776.	402					
4778. (Sub)	469	552	828			
4781. (Sub)	339					
4787.	329	495	523	523		Ch. 22
4788. (Sub)	445	579	808	809, 1226	974,1201, 1226	Ch. 239
4794. (Sub)	402	793	847	848		Ch. 231
4798.	469	795	858-860	861, 1262	1193,1253, 1259-1262	Ch. 246
4800. (Sub)	402	537	615	615		
4814. (Sub)	470	760	863	863		Ch. 180
4829. (Sub)	402	507	527	527		Ch. 181
48931. (2nd Sub)	596	83,931	1177-1180, 1203-1206	1235	1168-1171, 1227	PV Ch. 289
4849. (Sub)	445	592	768	806	995	Ch. 175
4852.	445	507	554	555		Ch. 176

HISTORY OF SENATE JOINT MEMORIALS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
112. (Sub)	274					
120.	175					
121.	275					
124.	402					
127.	429	552	760	761		
131.	429	553	761	761		

HISTORY OF SENATE CONCURRENT RESOLUTIONS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
129.	175					
134.	313					
137.	6		6	6		
138.	32		32.54	55		
140. (Sub)	313		475-476, 486	509		
142.	1263		1317	1318		
143.	292		483	483		
147.	313		485	486		
149.	1207		1318	1319		
150.	547					
154.	1316					

ABORTIONS

Fetal pain information to be given by MD: HB 1399
 Parental consent, unemancipated minors: HB 1405, SB 4607
 Sex selection purposes, performance prohibited: HB 1398

ADULTS (See also ELDERLY)

Age defined, human rights commission: SSB 4623
 Age discrimination, civil right: HB 1523
 Custodial interference, gross misdemeanor or felony: SSB 3387
 Dependent or vulnerable, home care: *HB 1328, CH 97
 Disabled, respite care demonstration project: HB 1271, *2SHB 1137, CH 158
 Home care for abused or neglected: *HB 1328, CH 97
 Nursing home patients, preadmission screening to evaluate alternate care: HB 1518
 Senior executive skills, program to use: HB 1410

AGRICULTURE (See also LIVESTOCK)

Apple commission, Joe Brownlow recognized: *HFR 151
 Berry harvesters, excluded from industrial insurance: HB 257
 Bulb Company, Bill and Dickie Roozen applauded for their fine work: *HFR 148
 Commodities, market development task force established: *SSB 4423, CH 90
 Commodities trade center, international marketing program: SB 4398, *SHB 1207, CH 57.
 Conservation futures, exempt ad valorem tax: *SSB 3178, CH 131
 Crops, security interest priority established: SHB 543
 Dry peas and lentils, dry pea and lentil day: *HFR 118
 Future farmers of america recognized: *SCR 143,
 Grain dealer commodities, liens: HB 1645
 International trade development advisory council established: HB 1193, SCR 154, *SSB 4494,
 CH 151
 Irrigation assessments, notification of delinquency: HB 1502
 Lien foreclosure, agricultural commodities: HB 1604
 Meat, bulk or gross, retail sale information: HB 1420
 Meat, slaughtering, processing, B&O lowered: SB 4409
 National agriculture day, 3/20/84: *HFR 130
 Organically grown food, sale standards: HB 1232
 Pesticide application act, violations, penalties imposed: HB 1570
 Trespass, land devoted to livestock or commodities: *SHB 1302, CH 49
 Walla Walla sweets, packaging, marketing, and sale regulated: HB 1512
 Warehouseman and grain dealer commodities, liens: HB 1645
 Wine, bonded wine warehouse license: *SSB 4503, CH 19
 Workers' compensation, agricultural workers, conditions: HB 257

AIR POLLUTION

Acid rain, monitoring, study: *2SHB 1174, CH 277
 Acid rain study: HB 1264
 Clean air act, fines increased: *2SSB 3193, CH 255
 Clean air act modified: HB 1272
 Emission credits banking program: *SSB 3616, CH 164
 Emission inspections, publicly-owned vehicles: HB 1485
 Emission standards, cars, noncompliance designation: HB 1706
 Federal clean air act, DOE authorized to participate: HB 1272
 High occupancy vehicle lanes, preferential treatment: HB 1496
 Registration fee limit for air contaminant sources: *SSB 3620, CH 88
 Select science advisory council on acid rain: HB 1264
 Tax credits for facilities, modifications: *SHB 1118, CH 42

ALCOHOL (See also DRUNK DRIVING; LIQUOR CONTROL BOARD)

Abuse, education provided: SB 4237
 Alcohol awareness program funded by penalty assessments: 2SSB 3617
 Candy, small amounts of alcohol authorized: *SSB 4758, CH 78
 Civil commitment program for alcoholics, assessment: HB 1663
 Consumer information on retail premises, beer and wine: *SB 4445, CH 196
 Driver licenses, alcohol education as a prerequisite: HB 1299
 Drunk driving deterrence and victims compensation account: HB 1701
 Hotels, certain, permits to serve beer or wine without charge: *HB 1147, CH 45
 Malt and wine wholesalers, distributorship agreements: *SSB 3901, CH 169
 Minor, consumption in home: SB 3521
 Nancy Reagan commended, drug and alcohol abuse education: *HFR 136
 Tax on beer, wine, spirits, drunk driving deterrence, victims compensation: HB 1701
 Wine and malt wholesalers, distributorship agreements: SSB 3901
 Wine, bonded wine warehouse license: *SSB 4503, CH 19

AMUSEMENT DEVICES

Employees, minors, may enter liquor establishments: *SB 4320, CH 136

AMUSEMENT PARKS

Carnival ride operators to possess liability insurance: HB 517
Rides, providing for regulation by permits and inspections: SSB 3003

ANIMALS (See also GAME, DEPARTMENT OF; LIVESTOCK)

Cruelty: 2SSB 3051
Decompression chambers to kill animals prohibited: HB 1654
Pets, may live in or visit nursing homes: *SB 3059, CH 127
Service dogs defined, etc.: SB 4661

ARBITRATION

Court improvement act, mandatory arbitration programs: *SSB 4430, CH 258
Mandatory, authorizing awards of certain costs: SHB 1288
Teacher contract negotiations, time limits: HB 1537
Uniformed personnel, arbitration panel: SHB 85

ARCHITECTS

Liens authorized for design or structural analysis: HB 1274

ARTS

Adult correctional facility construction projects exempted: SB 3243
B&O tax deduction modified, artistic or cultural organizations: HB 1656, SSB 4525
China exhibit, promote attendance: *HFR 110
Joint legislative committee established: SCR 129

ATHLETICS

Air Canada silver broom 1986 hosts: *HFR 106
Athletic health care and training council created: *SSB 4484, CH 286
Auburn High School cheerleading squad, national champs: *HFR 144
Bellevue Wolverines, AAA football champs: *HFR 107
Brewster High School class B basketball champs: *HFR 169
Central Washington Wildcats, swim champs: *HFR 176
Curling, Air Canada silver broom 1986 hosts: *HFR 106
Debbie Armstrong, gold medal in giant slalom, superb performance congratulated: *HFR 132
Health studios, regulating: SSB 3021
Julie Brown and Marianne Dickerson commended for contributions to women's athletic endeavors: HFR 165
Julie Brown, contributions to the betterment of women's athletic endeavors: *HFR 168
Kelso High School Highlanders, state AA champs: HFR 108
Lakes High School boys' swim team, state champs: *HFR 173
Marv Harshman's ability to teach honored: *HFR 119
Phil and Steve Mahre, gold and silver medals: *HFR 141
Port Townsend High School girls' basketball team, class A champs: HFR 181
Ridgefield High School women's volleyball champs: *HFR 128
Rosalynn Sumners, success in Sarajevo, wishes extended: *HFR 116
Skagit Valley College Cardinals, 1984 community college champs: HFR 184
Stellacoom High School Sentinels, class A basketball champs: *HFR 167
Synchronized swimmers, Tracy Ruiz and Candy Costie, congratulated: *HFR 137
Walla Walla High School wrestling team, state AAA champs: *HFR 143
WWU women's basketball team, honored for national ranking: *HFR 149

ATTORNEY GENERAL (See also CONSUMER PROTECTION)

Election results early, license renewal argument: HB 1226
Federal reserve system, challenge in the supreme court: SSB 4778
Lottery, unfair acts prohibited: SSB 3814
Oregon income tax changes, challenge: *HCR 40., *SCR 147,
Oregon tax situation, AG called upon to challenge: HFR 121
Public counsel section, report on WUTC actions: HB 1580

ATTORNEYS (See also CIVIL ACTIONS AND PROCEDURES)

Abstract, title, escrow, excise tax: HB 1198
Condemnation proceedings, attorney fees, interest: *SB 3128, CH 129
Conflict of interest, former state employees: *HB 1517, CH 85
Deposition filing procedures: HB 1437
Fees, child support suits: SSB 4373, *SHB 1627, CH 260
Fees, ground water, civil actions: SHB 1139
Fees, mortgagee fails to release mortgage: *SB 3132, CH 14
Juveniles represented by public counsel, fees: *SHB 1539, CH 86
Law revision commission, per diem, travel: SB 3092
Legal messengers exempted, WUTC regulation: *SSB 4050, CH 171
Mandatory arbitration, authorizing awards: SHB 1288

ATTORNEYS—cont.

Mandatory arbitration programs: *SSB 4430, CH 258
 Practice of law, legislature authorized to regulate: HJR 49
 Witnesses, children under 10, testimony admissibility: HB 1184

AUCTIONEERS

Licensure and regulation modified: *HB 1218, CH 189

AUDITS

County treasurer, quarterly audits eliminated: *SSB 3103, CH 128

AVIATION

Noise abatement programs: *HB 1319, CH 193
 Pilot disability, physician reporting has immunity: SB 4335

BANKS AND BANKING

Federal reserve act, repeal: SJM 121
 Holding company acquisitions, 5% of stock: HB 1185, SHB 1185

BARBERING (See also COSMETOLOGY)

Cosmetologists, barbers, and manicurists act: *SHB 1187, CH 208
 Licensing functions for cosmetology and barbering studied: HB 368

BLIND

Business enterprises program: HB 1540
 Disabled parking law modified: SHB 448
 Disabled persons and their service dogs, revisions: SB 4661
 Fisheries stamps, exempt: SHB 1362
 Fishing licenses free, certain blind or wheelchair-confined: SHB 1702
 Hearing and visually impaired, phrase incorporated: SHB 1238
 Malicious harassment, includes mental, physical, or sensory handicap: *SB 4228, CH 268
 Service dogs defined, etc.: SB 4661
 Utility rate reduction, low-income: SB 4347

BLOOD, ETC.

Donors may specify recipients: HB 1677
 Minor health care services, health care assistants, licensure: *SSB 4448, CH 281
 Paternity blood tests, expert's report: HB 1699, SSB 4373, *SHB 1627, CH 260

BOARDING HOMES (See HOTEL-MOTEL)**BOARDS**

Acupuncturist board created: SB 4643
 Boiler rules, safety standards: HB 1351
 Cosmetology, barbering, manicuring advisory: *SHB 1187, CH 208
 Dental hygiene board created: HB 1555
 Dietetics board: SSB 4379
 Examining board of psychologists created: SSB 4449
 Investment board, state treasurer may appoint designee: HB 1396
 Labor relations board created for labor relations program: HB 1553
 Mental health counseling, state board of examining: SSB 4537
 Nuclear waste policy and review board changed to nuclear waste board: *SHB 1637, CH 161
 Psychiatric security review board: HB 1382
 Teacher licensing board created: HB 1660
 Travel expense reimbursement: HB 1345
 Uniform compensation established: *HB 1159, CH 287

BOATS (See also NAVIGATION)

Boating safety act money use for marine-oriented facilities: HB 1683
 Designers, protect from duplication and sales: HB 1513
 Pilot liability, provisions modified: HB 1597
 Registration requirements, federal boat safety act: *SHB 255, CH 250
 Safety provisions revised: *SSB 4578, CH 183

BONDS (See also INSURANCE)

Community college system, general obligation: HB 1195
 Corrections, department of, capital improvements: *HB 1190, CH 271
 Energy facilities, eligibility criteria: SB 3001
 General obligation bonds, local governments: *SHB 1124, CH 186
 Grant county arterial highway construction: SSB 4055
 Higher education, construction bonds: *SSB 3942, CH 264
 Housing finance commission: *HB 1107, CH 28
 Joint operating agency board authority, ratification, bond sales: SHB 631
 Local improvement bonds, sold under par: HB 1554
 Property tax levies, general obligation bonds: HJR 48

BONDS—cont.

Public facilities construction loan revolving fund modified: *SHB 1262, CH 257
 Public works assistance account: *SSB 4404, CH 244
 Refund outstanding local improvement district bonds: SHB 1384
 School plant facilities, authorized: *SHB 1268, CH 266
 Schools, maintenance and repair of facilities: HB 1689
 Social and health services, capital improvements: *HB 1194, CH 269

BRITISH COLUMBIA

Air Canada silver broom 1986 hosts: *HFR 106
 Canadian dignitaries welcomed to Olympia: *HCR 38,
 Treaty authorized, Canada, PUD's, cities: *SHB 1778, CH 1
 Willingness of province to work with state commended: *HFR 174

BUDGET AND ACCOUNTING (See also FUNDS)

Appropriation and taxation measures, approval minority party: HB 1458, HJR 50
 Appropriations, limitations exposed: HJR 54
 Appropriations, tax and expenditure limitations: HB 1670
 Balanced federal budget requested: HJM 35
 Budget stabilization account appropriation use modified: HB 1658
 Capital budget and planning act: HB 1114
 Comprehensive state budgeting, accounting, and reporting system required: HB 1330, *SB 4504, CH 247
 Corrections, impact on communities: *SB 4798, CH 246
 Covered appropriations and covered revenue: HB 1670
 Dedicated funds or accounts, termination of certain: HB 1383
 Economic and revenue forecast council created: HB 1283, *SHB 1083, CH 138
 Energy account created revenue from petroleum overcharges: HB 1524
 Expenditure limits: HJR 51
 Expenditures, state, establishing limitations: HB 1443
 Geothermal account, appropriation conditions: SHB 71
 Joint operating agency board authority, ratification of administrative budgets: SHB 631
 Stabilization account, provide net balance by transfers: HB 1273
 Supplemental 1984 capital budget adopted: *SHB 1157, CH 182
 Supplemental 1984 operating budget adopted: *SHB 1156, CH 285
 Supplemental 1984 transportation budget adopted: *SHB 1200, CH 2
 Teacher salary survey, use in 1985 budget: HB 1532

BUILDINGS (See also HOUSING)

Energy efficiency, commercial and residential buildings, thermal and lighting standards: HB 2
 Inspectors, certification: HB 1571
 Investment projects defined: HB 1269
 Life-cycle cost analysis for design and investments: HB 1109
 Model conservation standards for new structures: SHB 162
 Public facilities construction loan revolving fund: HB 1269
 Single family residences, separate quarters, relatives: SB 3777
 Uninhabitable dwellings, enforcement procedures: *HB 939, CH 213

BUSES

Axel requirements: *SHB 1017, CH 104
 Conduct on buses regulated: SHB 538, *SSB 3849, CH 167

BUSINESSES (See also ECONOMIC RECOVERY)

Alcohol, financial interest definition modified: SB 4145
 Comparable worth, committee to study established: *HCR 34
 Deregulating certain businesses and professions: HB 1280
 Economic stabilization task force: SSB 4709
 Employment stabilization, layoffs, closure, notice: HB 1394
 Industrial operations, cessation, layoffs, study: *HFR 166
 Nuclear weapons industry conversion to peaceful usage: HB 1601
 Senior executive skills, program to use: HB 1410
 Small business assistance coordinating council: *2SHB 689, CH 282
 Small business development center, WSU: HB 1616, *SB 4668, CH 77
 Small business improvement council: 2SSB 3982
 Small business innovators' opportunity program extended: *SB 4773, CH 79

CAMPAIGNS (See also ELECTIONS)

Automatic dialing devices, use conditions: SHB 1234
 Contributions over \$100, file with public disclosure commission: HB 1610
 Counties less than 5,000 voters, public disclosure, financing: HB 1132
 Employment security, permissible political activities of employees redefined: SSB 4326
 Exit polling law reenacted: HB 1529

CAMPAIGNS—cont.

Filing fees for indigent candidates, waiver: HB 1492
 Filing procedures for indigents and other candidates: SSB 4559, *SHB 1282, CH 142
 Financial reporting modifications: HB 1242, HB 1245, *SB 4312, CH 34
 Financing, contribution limitation provisions: HB 1343
 Fund raising activities during legislative sessions regulated: HB 152
 Fund raising prohibited during session for political parties: HB 247
 Political action committees, voluntary payroll deductions authorized: HB 1355
 Political advertising, identification required: *HB 1133, CH 216
 Public disclosure reporting requirements, study: *HFR 163
 Public employees, partisan or nonpartisan solicitations prohibited: SHB 1104
 Public funds, lobbying prohibited, limitation modified: HB 1152
 Recall procedures: *SSB 3984, CH 170
 Voter pamphlets, local authorized: *SHB 1415, CH 106

CANCER

Cigarettes, excise tax proceeds for cancer research: SB 3309
 Smoking in public places restricted: HB 229
 Smoking pollution control act: SHB 1464

CANDY

Alcohol, small amounts authorized in candy: *SSB 4758, CH 78

CEMETERIES

Archaeological materials from cairns and graves: SSB 4710
 Endowment care fund: *SSB 4110, CH 53

CENTENNIAL COMMISSION

Financial procedures established: SHB 1297, *SB 4592, CH 120

CENTRAL AMERICA

Policy, modification requested: HJM 38

CHILDREN (See also FAMILY LAW)

Abduction of children, Hague convention, ratify: SJM 124
 Abuse and neglect, prevention of, council on, modifications: HB 1287
 Acutely mentally ill redefined: HB 1314
 AFDC, money and eligibility not tied to biennial appropriation act: HB 1519
 Alcohol awareness program funded by penalty assessments: 2SSB 3617
 Alcohol consumption in home: SB 3521
 Birth defects, environmental hazards, information and surveillance: *SHB 1105, CH 156
 Child abuse and neglect council: *SSB 4653, CH 261
 Child abuse and neglect, investigate social service agencies: SHB 1605
 Child abuse, DSHS, investigate for suitability of care: SHB 1605
 Child care demonstration project, state employees: *SHB 1655, CH 162
 Child development research and service institute abolished: HB 1495
 Child protective services, joint select committee created: SB 4639
 Child protective services study by LBC: HFR 182
 Child support, collection: SSB 4303, SB 4651, HB 1320, HB 1562, *SHB 1627, CH 260
 Child support enforcement act: HB 1510
 Child support, enforcement and collection procedures: HB 1433
 Child support obligations, liens on homestead: SSB 4373, *SHB 1627, CH 260
 Child support orders, health insurance coverage: *SSB 4730, CH 201
 Children and family services act: SHB 1212, *SSB 4814, CH 180
 Community mental health program includes children: HB 1125
 Custodial interference: HB 1433, *SHB 1687, CH 95
 Custody, malicious or willful interference gross misdemeanor or felony: SSB 3387
 Day care for state employees children: *SHB 1655, CH 162
 Driver education, seat belt required by driver: HB 1211
 Driver license suspended, under 17, certain offenses: HB 1260
 Driver licenses, provisional, teenage curfew: HB 1657
 Evidence, sexual contact, children under 10: HB 1184
 Fishing licenses, steelhead punchcard free, certain conditions: SSB 3800
 Glue sniffing, toxic vapors or fumes: *SB 3117, CH 68
 Hague convention, abduction of children, ratify: SJM 124
 Handicapped, preschool education required: *SHB 1311, CH 160
 Handicapped, school age revised: HB 1546
 Health care insurance, newly born, sixty day notice: *HB 1103, CH 4
 Idaho drinking age of 21 endorsed: HFR 177
 Juvenile detention facilities, circumstances for confinement: *SHB 1514, CH 272
 Juvenile offenders, medical and dental records: SHB 1515
 Juvenile prostitutes, patrons of: HB 1244, *SB 4309, CH 262
 Juvenile records release: HB 1120

CHILDREN—cont.

- Juvenile rehabilitation, children and family services department: SHB 1212
- Juveniles, represented by public counsel: *SHB 1539, CH 86
- Liquor establishments, minor employees, janitorial services: *SB 4320, CH 136
- Offenders, community service liability insurance: *SSB 4334, CH 24
- Parent liable for child's theft and fraud: SB 3119
- Parentage questions, presumption, rebut by preponderance of evidence: HB 1699, *SHB 1627, CH 260
- Placement and review hearings modified: SB 4637, *HB 1526, CH 188
- Pornography: *SB 4309, CH 262
- Pornography, sexual exploitation: HB 1112, HB 1115
- Prostitution, classification enhanced if a minor participates: HB 29
- Uniform parentage act, updating and clarifying: HB 1699, *SHB 1627, CH 260

CHINA

- Trade barriers, mutual bilateral elimination: SSJM 112

CHIROPRACTORS

- Disciplinary procedures, consolidation of various health care professionals: HB 1178, *SHB 1178, CH 279

CITIES (See also LAND USE PLANNING; STATE AND PUBLIC EMPLOYEES)

- Auctioneers, license requirements: *HB 1218, CH 189
- B&O referendum procedure, 90 days to petition: HB 1590
- Boundary review board, provisions revised: SHB 1380
- Building codes more stringent than state's are preempted: HB 1685
- Building inspector certification: HB 1571
- Buses, prohibited conduct: SHB 538, *SSB 3849, CH 167
- Combined city-county municipal corporation, clarified and implemented: *SSB 4313, CH 91
- Community corporation, land use authority: SHB 879
- Community growth and development: HB 1466
- Community growth and development, joint select committee: HCR 39
- Consolidated employers, retirement, modifications: *SHB 843, CH 184
- Consolidation classification, noncharter code cities: *SHB 1435, CH 8
- Consolidation of contiguous municipal corporations, special election modifications: *HB 392, CH 203
- Contracting with minority or women's business enterprises encouraged: HB 1603
- Contractors, prequalification procedures: SHB 749
- Correctional facility, inmate release or escape, notice: 2SHB 307
- Council members volunteering as law enforcement officers, compensation: HB 1528
- Councilmanic offices, reduction in certain code cities: HB 1376
- Credit card use for travel expenses: *HB 392, CH 203
- Declaratory judgments on local government ordinances: SHB 1542
- Drunk driver enforcement impact account: SHB 983
- Economic development is a public purpose: HB 1445
- Economic recovery, participation with nonprofit corporations is a public purpose: SSB 3276
- Electric energy acquisition authority: HB 1575
- Electric facilities located outside county, privilege tax: HB 1498
- Electric generation by use of sewer and water system: SHB 710
- Electric power and capacity contracts: SHB 1556
- Employee exchange agreements: HB 1253
- Energy facilities bond authorization: SB 3001
- Fireworks, local regulations may be more restrictive: SHB 1151, *SHB 1652, CH 249
- Group insurance programs, average employer contributions: *HB 1419, CH 107
- Hazardous materials incident command agency designation optional: *SSB 3740, CH 165
- Hazardous substances in the workplace and community, disclosure: 2SHB 863, *2SSB 4831, CH 289
- Health board, local government and consumer representation: *SSB 4306, CH 243
- Health departments, county owned, city contributions: SHB 713
- Health districts: SHB 509
- Health insurance coverage for retirees and dependents: SHB 1367
- Heating service termination restricted: *SSB 4490, CH 251
- High occupancy vehicle lanes, preferential treatment: HB 1496
- Historic preservation activities may be funded: HB 1408
- Historic preservation, real and personal property: *HB 392, CH 203
- Historical properties, public corporations, commissions, authorities, tax modified: HB 1237
- Incorporation review by county legislative authority: HB 1503
- Interlocal agreements/contracts, police power between jurisdictions: HB 1160
- Joint operating agency operations and procedures modified: HB 1592
- LEOFF employees, salary discontinue disability allowance: HB 1257
- Local improvement bonds, sold under par, treat difference as interest: HB 1554

CITIES—cont.

Low-income citizens, reduced utility rates: HB 1631
 Martin Luther King birthday, state and school holiday: HB 69
 Nuclear attack, evacuation plan by political subdivisions optional: HB 1129
 Offenders, community service liability insurance: *SSB 4334, CH 24
 Peddlers, meat, eels, shellfish, etc., city license: *2SHB 713, CH 25
 Port districts to contract for fire protection: HB 1404
 Public transportation benefit system, cannot tax: HB 1490
 Public transportation, tax authority equalized: *SB 3834, CH 112
 Public work loans, planning/community affairs: *SSB 4404, CH 244
 Purchase contracts, local governments, consider tax revenue: HB 574
 Recyclable materials, solid waste ordinances do not apply: HB 1577
 Referendum procedures, tax ordinances, petitions: HB 1650
 Refund outstanding local improvement district bonds: SHB 1384
 Sales and use tax equalization fund distribution: HB 1379, *SB 4376, CH 225
 Sales tax, percentage, administration, collection reduced: HB 1202
 Self-insurance, local government risk exposure studies: HB 531
 Sewer and water hook up, equitable share: SHB 79
 Sewer district boundaries within cities: HB 1346
 Sewer hookups, interest charge: HB 1392
 Solid waste disposal facilities, site review: *SHB 1164, CH 123
 Surface mines, regulation: *SHB 480, CH 215
 Surplus line insurance, conditions and restrictions: HB 1567, HB 1579
 Utility rates, political subdivisions, low-income: SHB 550
 Water district boundaries, excised from district: HB 1346
 Water hookups, interest charge: HB 1392
 Water supplies, access restrictions authorized: SHB 1584
 Water, sewer system, transfer from county: *SHB 1127, CH 147
 Zoning, residences, separate living quarters for relatives: SB 3777

CIVIL ACTIONS AND PROCEDURES (See also ATTORNEYS)

Alcoholics, drug abusers, civil commitment program assessed: HB 1663
 Appearance of fairness, ex parte conversations, when allowed: SSB 4626, *HB 1649, CH 191
 Assignment of wages, limit increased: HB 1608
 Claims against the state, bond requirement removed: SB 4426
 Custodial interference, civil damages: *SHB 1687, CH 95
 Declaratory judgments on local government ordinances: SHB 1542
 Deposition filing procedures: HB 1437
 Eminent domain judgments, interest rate increased: HB 1366
 Evidence, police officers good faith belief: HB 1441
 Evidence, sexual contact, children under 10: HB 1184
 Execution and redemption, personal, real property: *SSB 4111, CH 276
 Fees, ground water, civil actions: HB 1139, SHB 1139
 Fees, mandatory arbitration, awarding certain costs: HB 1288, SHB 1288
 Foreign truckers, proof of ability to respond in damages: HB 1630
 Habeas corpus procedures modified: HB 1521
 Industrial injuries or death, 3rd-party actions: *HB 1386, CH 218
 Industrial insurance, interest payments on awards, defined: HB 1493
 Industrial insurance, lien compromises on recoveries: HB 1694
 Industrial insurance, 3rd-person suits, U.S. contractors: HB 1607
 Interpreters, non-English speaking or hearing impaired: HB 1621
 Judgment lien, 10 year period: *SSB 4357, CH 21
 Legal messengers exempted from WUTC regulation: *SSB 4050, CH 171
 Malicious harassment: *SB 4228, CH 268
 Malicious prosecution, suits, public officials, remedy: *SB 3437, CH 133
 Mandatory arbitration programs: *SSB 4430, CH 258
 Parentage actions, attorney fees: HB 1699, *SHB 1627, CH 260
 Paternity, human leukocyte antigen blood test, 95%: SSB 4373
 Protection orders, domestic violence: HB 1527, *SSB 4541, CH 263
 Rent due, pay from court deposits of tenant: HB 1682
 Statute of limitations, 8 year limitation removed: HB 1412
 Torts, actions against state or authorized agent: HB 1535
 Torts of state, judgment forwarded to ways and means: SHB 823
 Underground utilities, damage procedures: HB 857, *SHB 857, CH 144

CLALLAM COUNTY

Olympic county created: SB 3264

CODE REVISER

Clerical error correction, polling places: *SB 4469, CH 35
 DOT references corrected: *SHB 1146, CH 7

CODE REVISER—cont.

Exit polling law reenacted: HB 1529
 Law revision commission, per diem travel allowance: SB 3092
 Legislative history, joint select committee: *HFR 153
 Technical corrections in fisheries code: *HB 1162, CH 80

COLLEGES AND UNIVERSITIES

Admission requirements: SSB 4781, *SHB 1246, CH 278
 Alcohol awareness program, penalty assessments: 2SSB 3617
 Blind, business enterprises program: HB 1540
 Boards, student members authorized: SHB 1422
 Bonds, higher education construction bonds: *SSB 3942, CH 264
 Career executive program established: SHB 1170
 Collective bargaining, 4 year higher education institutions: HB 1140
 Comparable worth act repealed: HB 1634
 Donations, nonprofit public, private institution: SSB 4576
 Faculty peer review committees, immunity: *SHB 915, CH 137
 Financial aid and tuition and fees to be studied: HFR 172
 Financial aid draft registration prerequisite, repeal: HJM 36
 Graduate service appointment, fee exemption: *HB 1348, CH 105
 Higher education committee, governance study: HFR 159
 Incapacitated, restoration of pension credit lost: SSB 3287
 Law school credits, WWII, eliminated: HB 1292, *SB 4437, CH 117
 Loans for medical students, forgiveness: SHB 1566
 Math and science skills, women and minorities: *SB 4432, CH 265
 New degree programs, approval of: SHB 1197
 Public lands, exchange with DNR: HB 1450
 Retirement, supplemental benefits modified: HB 1347, HB 1368
 Scholar award program, tuition and fee waiver: SHB 1228, HB 1261, SSB 4781, *SHB 1246, CH 278
 School administrators training academy: SSB 4576
 Teacher certification, graduate level: HB 1243, HB 1344, SSB 4395
 Tuition and fee surcharge: HB 1684
 Tuition and fees, formula for increasing: HB 1536, SB 4339
 Tuition exemption, LEOFF, age lowered: SHB 856
 Tuition, immigrant refugees: *SB 3044, CH 232
 Tuition increase exemption, Vietnam veterans: SSB 3589
 Tuition, nonresident military personnel children, spouse: *SB 3044, CH 232
 Tuition, 18 hours or more, additional fee deleted: SB 3488
 Unemployment compensation, contract services: *SHB 1439, CH 140
 Veterans, tuition and fee exemptions: HB 1476
 WSU and EWU to coordinate: SHB 1363

COMMERCE AND ECONOMIC DEVELOPMENT (See also ECONOMIC RECOVERY)

Economic stabilization task force, plant closures, layoffs: SSB 4709
 Environmental profile, businesses locating in state: *HB 1373, CH 94
 International investment, attache program established: *SSB 4849, CH 175
 International investments, office established: *SB 4852, CH 176
 International trade and investment development: HB 1585
 International trade development advisory council created: SHB 1193
 Mt. St. Helens tourism development: *SHB 1511, CH 122
 Pacific Northwest world trade council commended: *HFR 125
 Small business improvement council: 2SSB 3982
 Small business innovators' program extended: *SB 4773, CH 79
 Tourism, destination tourism attractions: *SSB 4794, CH 231
 Tourism development commission established: *SHB 1511, CH 122

COMMISSIONS

Capital budget and planning commission created: HB 1114
 Centennial, membership increased: SHB 1297, *SB 4592, CH 120
 Community development finance corporation, diversify: HB 1601
 Community growth and development: HB 1466
 Comprehensive water resource management: HCR 46
 Conversion planning commission, defense to peace industry: HB 1601
 Criminal justice training commission membership modified: HB 1284
 Emergency commission, water resources management: HCR 36
 Judicial administration commission created: *SSB 4430, CH 258
 Nursing home survey, standards commission: HB 1349
 State employment commission established: HB 1553
 Strategic economic development commission: HB 1636
 Tourism development commission established: *SHB 1511, CH 122

COMMISSIONS—cont.

Uniform compensation established: *HB 1159, CH 287
 Water resource management, emergency commission established: HCR 46
 Water resources management, emergency commission: HCR 36

COMMITTEES (See also GUBERNATORIAL APPOINTMENTS; LEGISLATURE)

Child protective services, joint select committee created: SB 4639
 Child support, joint committee: SSB 4373, *SHB 1627, CH 260
 Community growth, examine laws and policies: HFR 187
 County boundaries, joint ad hoc committee: HCR 45
 Criminal justice system, joint committee: *SSB 3429, CH 234
 Drinking water, joint select committee to study: HCR 42
 Executive rules committee: *HFR 179
 Health care reform, joint committee, cost containment: HB 1538
 Health care systems, cost-effective management: *SSB 4403, CH 288
 Home schooling, joint select committee to review: HCR 41
 Information processing and communications, joint committee: SSB 4800
 Joint select committee to study home schooling: HCR 41
 Legislative facilities joint committee created: SSB 3622
 Legislative history, committee: *HFR 153
 LEOFF, joint select committee on: SCR 149
 Mandatory measured service, telecommunications study: HB 1625
 Migratory waterfowl, committee created: HB 1305, HB 1309
 Prostitution, select committee to study: HFR 162
 Public health: *SSB 4306, CH 243
 Public retirement, joint interim committee: SCR 134
 Recreational needs, joint committee to formulate legislation: HCR 43
 Threatened and endangered species: *SSB 4788; CH 239
 Water resources, underground, study: HCR 42

COMMON CARRIERS (See UTILITIES AND TRANSPORTATION COMMISSION)**COMMUNITY COLLEGES**

Alcohol awareness program funded by penalty assessments: 2SSB 3617
 Blind, business enterprises program: HB 1540
 Boards, student members authorized: SHB 1422
 Bonds, general obligation, capital improvements: HB 1195
 Bonds, higher education construction bonds: *SSB 3942, CH 264
 Career executive program established: SHB 1170
 Collective bargaining authorized: HB 1219
 Comparable worth act repealed: HB 1634
 Consortium and cooperative agreements authorized: SHB 1197
 Donations, nonprofit public, private institutions: SSB 4576
 Draft registration prerequisite for financial aid, repeal: HJM 36
 Faculty peer review committees, immunity: *SHB 915, CH 137
 Financial aid and tuition and fees to be studied: HFR 172
 Financial aid draft registration prerequisite, repeal: HJM 36
 General tuition surcharge fees: HB 1684
 Higher education committee, study governance, higher education: HFR 159
 Incapacitated, restoration of pension credit lost: SSB 3287
 LEOFF, children tuition benefit age lowered: SHB 856
 Low-income students, fee waiver: SB 4394, *SHB 1334, CH 50, SB 4394
 Part-time faculty, study benefits and problems: *HFR 158
 Public lands, certain community college land exchanged: HB 1403
 Public lands, exchange with DNR: HB 1450
 Retirement, supplemental benefits modified: HB 1347, HB 1368
 Scholar award program, tuition and fee waiver: SHB 1228, SSB 4781
 Skagit Valley College Cardinals, community college champs: HFR 184
 Students commended: *HFR 112
 Transfer of credits to 4 year schools: SSB 4781, *SHB 1246, CH 278
 Tuition and fee exemptions, veterans: HB 1476
 Tuition and fee surcharge: HB 1684
 Tuition and fees, formula for increasing: HB 1536, SB 4339
 Tuition, nonresident exemption military personnel, refugees: *SB 3044, CH 232
 Tuition, 18 hours or more, additional fee deleted: SB 3488
 Unemployment compensation, contract services: *SHB 1439, CH 140
 Vocational excellence award program: *SHB 1613, CH 267
 Vocational technical institutes' accounting procedures: HB 1711

COMMUNITY DEVELOPMENT DEPARTMENT

Created, planning and community affairs name changed: HB 1327

COMMUNITY ECONOMIC REVITALIZATION BOARD

Industrial development revenue bonds: *SHB 1262, CH 257

COMPUTERS

Definitions of access, computer program, and data: *SHB 1106, CH 273

CONFERENCE COMMITTEE REPORTS

EHB 392, Conference Committee Report	p. 1368
EHB 392, Free Conference Committee Report	p. 1379
SHB 552, Conference Committee Report	p. 1266
SHB 552, Free Conference Committee Report	p. 1280
2SHB 689, Conference Committee Report	p. 1251
2SHB 689, Free Conference Committee Report	p. 1266
SHB 843, Conference Committee Report	p. 1279
SHB 843, Free Conference Committee Report	p. 1292
HB 880, Conference Committee Report	p. 1237
HB 880, Free Conference Committee Report	p. 1257
HB 939, Conference Committee Report	p. 1176
HB 939, Free Conference Committee Report	p. 1206
SHB 977, Conference Committee Report	p. 1285
SHB 977, Free Conference Committee Report	p. 1306
EHB 1133, Conference Committee Report	p. 1228
EHB 1133, Free Conference Committee Report	p. 1251
ESHB 1157, Conference Committee Report	p. 1328
ESHB 1157, Free Conference Committee Report	p. 1335
SHB 1163, Conference Committee Report	p. 1176
SHB 1163, Free Conference Committee Report	p. 1225
SHB 1246, Conference Committee Report	p. 1301
SHB 1246, Free Conference Committee Report	p. 1383
EHB 1386, Conference Committee Report	p. 1228
EHB 1386, Free Conference Committee Report	p. 1281
SHB 1613, Conference Committee Report	p. 1302
SHB 1613, Free Conference Committee Report	p. 1328
E2SHB 1660, Conference Committee Report	p. 1302
E2SHB 1660, Free Conference Committee Report	p. 1434
SSB 3181, Conference Committee Report	p. 1199
SSB 3181, Free Conference Committee Report	p. 1209
E2SSB 3193, Conference Committee Report	p. 1238
E2SSB 3193, Free Conference Committee Report	p. 1247
SSB 3194, Conference Committee Report	p. 1279
SSB 3194, Free Conference Committee Report	p. 1313
ESSB 3429, Conference Committee Report	p. 1199
ESSB 3429, Free Conference Committee Report	p. 1211
SSB 4306, Conference Committee Report	p. 1287
SSB 4306, Free Conference Committee Report	p. 1314
ESSB 4309, Conference Committee Report	p. 1199
ESSB 4309, Free Conference Committee Report	p. 1212
SSB 4381, Conference Committee Report	p. 1270
SSB 4381, Free Conference Committee Report	p. 1373
ESSB 4403, Conference Committee Report	p. 1288
ESSB 4403, Free Conference Committee Report	p. 1351
ESB 4407, Conference Committee Report	p. 1289
ESSB 4435, Conference Committee Report	p. 1200
ESSB 4435, Free Conference Committee Report	p. 1216
ESSB 4448, Conference Committee Report	p. 1231
ESSB 4448, Free Conference Committee Report	p. 1241
ESSB 4490, Conference Committee Report	p. 1200
ESSB 4490, Free Conference Committee Report	p. 1275
SB 4619, Conference Committee Report	p. 1231
SB 4619, Free Conference Committee Report	p. 1243
SSB 4788, Conference Committee Report	p. 1201
SSB 4788, Free Conference Committee Report	p. 1226
ESB 4798, Conference Committee Report	p. 1253
ESB 4798, Free Conference Committee Report	p. 1259

CONFLICT OF INTEREST (See also PUBLIC DISCLOSURE)

Attorneys, former state employees, restrictions: *HB 1517, CH 85

School district contracts, beneficial interest: HB 1300

State employees, restrictions: HB 1457

CONGRESS

Elections, state to pay a prorated share of cost: HB 1520, SSB 4381

CONGRESS—cont.

Redistricting commission, membership criteria: *SB 4304, CH 13
 Vacancies, primary or vacancy elections: HB 1281
 Vacancies, senate, procedures: HB 1233, HB 1318, SSB 4381

CONSERVATION (See also ECOLOGY, DEPARTMENT OF; ENERGY; ENVIRONMENT)

Acid rain, monitoring, study: HB 1264, *2SHB 1174, CH 277
 Car pooling vehicles, tax modified: HB 1500
 Conservation futures, exempt ad valorem tax: HB 69, *SSB 3178, CH 131
 Energy development and financing, interstate compact: HB 1598
 Gifts, real estate, not a sale: HB 1397
 Habitat buffer zones to protect certain species: *SSB 4788, CH 239
 Litter control and recycling act modified: HB 1426
 Recyclable materials, solid waste ordinances do not apply: HB 1577
 Renewable energy waste management systems: SHB 1618
 Select science advisory council on acid rain: HB 1264
 Treaty authorized, Canada, PUD's, cities: *SHB 1778, CH 1
 West Hylebos creek wetlands conservation area established: HB 1679
 Wetland or riparian land tax exempt: HB 1141

CONSTITUTIONAL AMENDMENTS

Appropriation legislation, affirmative votes, minority party: HJR 50
 Appropriations, limitations exposed: HJR 54
 Biennial 135 day session, return to: HJR 53
 Bills introduced in any session deemed introduced in next: HJR 43
 Current use valuation for single family residences: HJR 46
 Expenditure limits: HJR 51
 Food tax prohibited: HJR 47
 Home rule charters, procedures for adoption: HJR 44
 Practice of law, legislature authorized to regulate: HJR 49
 Property tax levies, general obligation bonds: HJR 48
 Public improvements, indebtedness payment: HJR 45, HJR 52
 School district excess levies: 2SHJR 29
 School district levies, simple majority vote: HJR 18
 Tax increases, 60% legislative approval required: HJR 42, HJR 55
 Taxes, uniform throughout the state: HJR 56

CONSUMER PROTECTION (See also LANDLORD TENANT)

Automobile warranties, initial buyer report: *HB 1135, CH 148
 Automobile repairpersons, registration: HB 1364
 Health board, consumer representation: *SSB 4306, CH 243
 Health studios, regulating: SSB 3021
 Insurance, good faith dealings required: HB 1229
 Lottery, unfair acts prohibited: SSB 3814
 Meat, in bulk or gross, retail sale information: HB 1420
 Mobile home landlord and tenants: HB 1117, SB 4316, *SHB 1270, CH 58
 Mortgage loan rights act: HB 1617
 Open-end credit agreement: HB 1163
 Real estate conveyance consumer protection without cost act: HB 1220
 Real property, protection if water unpotable: SHB 1241
 Restraint of trade contracts, combinations, conspiracies: SSB 3223
 Right-to-know advisory council established: 2SHB 863, 2SSB 4831
 Telephone buyers' protection act: SHB 1235, HB 1431, *SSB 4560, CH 275
 Telephone equipment, presale disclosure: SHB 1235

CONTRACTORS (See also GENERAL ADMINISTRATION)

Comparable worth, committee to study established: *HCR 34
 Mechanics/materialpersons liens: *SHB 914, CH 202
 Prequalify for municipalities: SHB 749
 Public works contracts, lien, protection of owner: *HB 217, CH 146
 Underground utilities, damage procedures: *SHB 857, CH 144

CONVENTION AND TRADE CENTERS

Casino nights, play money, authorized: HB 1640
 Civil service exemption: *SHB 1279, CH 210
 Conditions of construction established: HB 1387
 Cultural arts, stadium and convention district: HB 122
 Hotel excise tax repealed: HB 1321, *SB 4358, CH 115
 Play money casino nights authorized: HB 1640
 Private structures, connection restricted: HB 1389

CORPORATIONS (See also NONPROFIT CORPORATIONS; SECRETARY OF STATE)

Community corporation, land use authority: SHB 879

CORPORATIONS—cont.

Definitions modified: *SB 4513, CH 75
 Real estate transfer tax redefined: HB 1397
 Salmon enhancement cooperative authorized: HB 1583

CORRECTIONS (See also JAILS; PRISON TERMS AND PAROLE)

Adult correctional facility construction projects: SB 3243
 Capital improvements, general obligation bonds: *HB 1190, CH 271
 Community corrections officer defined: *SHB 1247, CH 209
 Criminal justice forecasting: SHB 1230, *2SSB 4380, CH 17
 Drunk driving, minimum design standards: *SHB 1582, CH 110
 Employees injured on job: HB 593, *HB 1378, CH 284, *SB 4798, CH 246
 Financial responsibility, conditions: *2SSB 3815, CH 235
 Inmate classification, statements upon incarceration: HB 1216, *SB 4352, CH 114
 Juveniles, special circumstances for confinement: *SHB 1514, CH 272
 Notice to law enforcement, victims, witnesses: 2SHB 307
 Pilot-scale management assessment and training program: HB 1638
 Prison jobs, creation of: HB 1467
 Sentencing guidelines commission reduction of inmate populations: *SB 4798, CH 246
 Strip searches, personal recognizance release: SHB 1565

COSMETOLOGY (See also BARBERING)

Apprenticeship training: HB 368
 Cosmetologists, barbers, and manicurists act: *SHB 1187, CH 208

COUNCILS

Athletic health care and training council created: *SSB 4484, CH 286
 Building code advisory council membership: HB 1303
 Child abuse and neglect, prevention of, modifications: HB 1287
 Children and family services, advisory council: SHB 1212
 Community councils, advisory only: *HB 392, CH 203
 Criminal justice council repealed: *HB 1110, CH 30
 Economic advisers state council created: HB 1283
 Economic and revenue forecast council created: *SHB 1083, CH 138
 International trade development: HB 1193, SCR 154, *SSB 4494, CH 151
 Right-to-know advisory council established: 2SHB 863, *2SSB 4831, CH 289
 Small business assistance coordinating council: *2SHB 689, CH 282
 Uniform compensation established: *HB 1159, CH 287
 Water resources coordination council established: HB 1239

COUNSELORS

Mental health counselors licensing: SSB 4537

COUNTIES (See also LAND USE PLANNING; STATE AND PUBLIC EMPLOYEES, FIRE PROTECTION; LAW ENFORCEMENT)

B&O referendum procedure, 90 days to petition: HB 1590
 Border, additional tax reduced to 30%: HB 1594
 Border counties, shall not impose an additional tax: HB 1568
 Border, fuel tax, additional, authority removed: HB 1673
 Border, motor vehicle fuel sales tax B&O surtax reduced: SB 4457
 Border tax differential eliminated: HB 1696
 Boundaries, joint ad hoc committee to consider adjustment: HCR 45
 Boundary review board, provisions revised: SHB 1380
 Building codes more stringent than state's are preempted: HB 1685
 Building inspector certification: HB 1571
 Claim payment prior to approval: HB 122, SHB 1130, *SSB 3103, CH 128
 Collective bargaining, uniformed personnel: *2SHB 85, CH 150
 Combined city-county municipal corporation: *SSB 4313, CH 91
 Community corporation, land use authority: SHB 879
 Community growth and development, joint select committee: HCR 39
 Consumer representative defined, health board: *SSB 4306, CH 243
 Contractors, prequalification procedures: SHB 749
 Correctional facility, inmate release, escape, notice: 2SHB 307
 Creation of new counties, committee to study: *HFR 180
 Criminally insane, conditional release, tracking system: SSB 3654
 Declaratory judgments, local government ordinances: SHB 1542
 Drunk driver enforcement impact account: SHB 983
 Economic development is a public purpose: HB 1445
 Economic recovery, nonprofit corporations, public purpose: SSB 3276
 Electric energy acquisition authority: HB 1575
 Electric generation of sewer and water system: SHB 710
 Electrical code enforcement, L&I may contract for: HB 1306

COUNTIES—cont.

Employee exchange agreements, public/public, private/public: HB 1253
 Energy facilities bond authorization: SB 3001
 Environmental impact measurements, special purpose districts: HB 1644
 Fire protection commissioner vacancy filling: *SB 4619, CH 238
 Fireworks, local regulations more restrictive: SHB 1151, *SHB 1652, CH 249
 Flood control maintenance projects: *SHB 1531, CH 212
 Forest land, reforestation land reclassified: SHB 1429
 Freeholders, appointments to fill vacancies: *SSB 3098, CH 163
 Funds, treasurer handling fee modified: HB 1569
 Game department in lieu of taxes: *SHB 105, CH 214
 Group insurance programs, contributions: *HB 1419, CH 107
 Hazardous materials incident command agency designation optional: *SSB 3740, CH 165
 Hazardous substances, disclosure: 2SHB 863, *2SSB 4831, CH 289
 Health districts: SHB 509
 Health insurance coverage for retirees and dependents: SHB 1367
 Historic preservation, real/personal property: *HB 392, CH 203
 Historical properties, public corporations, commissions, authorities, tax modified: HB 1237
 Home rule charters, procedures for adoption: HJR 44
 Hospitals, board of trustees, modified: *SHB 791, CH 26
 Incorporation reviewed by county authority: HB 1503
 Interlocal agreements or contracts, police power: HB 1160
 LEOFF employees, disability allowance: HB 1257
 Low-income citizens, reduced utility rates: SHB 550, HB 1631
 Martin Luther King birthday, state and school holiday: HB 69
 Nonresidents, county tax, employed in county: *HB 1509, CH 248
 Noxious weed control, special vehicle tax: SSB 3205
 Nuclear attack, evacuation plan: HB 1129, SHB 1265
 Offenders, community service liability insurance: *SSB 4334, CH 24
 Olympic county created subject to voter approval: SB 3264
 Public health director, qualifications: *2SHB 713, CH 25
 Public transportation benefit system, cities cannot tax: HB 1490
 Public transportation, conduct: SHB 538, *SSB 3849, CH 167
 Public transportation, tax authority: *SB 3834, CH 112
 Public work loans, planning and community affairs: *SSB 4404, CH 244
 Purchase contracts, local governments, consider tax revenue: HB 574
 Real estate conveyances consumer protection act: HB 1220
 Recyclable materials, solid waste ordinances do not apply: HB 1577
 Redistricting plan requirements: *SB 4304, CH 13
 Reforestation land, reclassification system: HB 1704
 Refund outstanding local improvement district bonds: SHB 1384
 Road engineer, 7th class, part-time allowed: *SSB 4287, CH 11
 Road improvement district formation alternative: HB 911
 Roads, improved, adjacent to water, vacation: HB 1167
 Rural arterial program funding: *SSB 4288, CH 113
 Sales tax, percentage for administration and collection reduced: HB 1202
 Self-insurance, local government risk exposure studies: HB 531
 Sheriffs, vacancies in offices: *SSB 4628, CH 199
 Solid waste disposal facilities: *SHB 1164, CH 123
 Special purpose districts, election, operation procedures: SHB 1134
 Surface mines, regulation: *SHB 480, CH 215
 Surplus line insurance, conditions: HB 1567, HB 1579
 Timber harvester tax imposed: HB 1391, HB 1468, *SB 4421, CH 204
 Travel expenses, may use credit cards: *HB 392, CH 203
 Veterans' benefits, qualifying class expanded: HB 1258
 Water quality tests for public supply systems: *SHB 1191, CH 187
 Water system, transfer to municipal corporation: *SHB 1127, CH 147
 Zoning, residences, separate living quarters for relatives: SB 3777

COUNTY ASSESSOR

Cooperative wetland and riparian habitat conservation act: HB 1141
 Equalization board, delinquencies, schedule: *SB 3262, CH 132
 Forest land, grading of by county assessor or DNR: SHB 1429
 Real property tax delinquency penalties waived: *HB 706, CH 185

COUNTY AUDITOR (See also ELECTIONS)

Duties revised: SHB 1130, HB 1224, SSB 4381, *SSB 3103, CH 128
 Executory contracts, recording: *SB 4371, CH 73
 Special purpose districts, election, operation procedures: SHB 1134
 Veterans, marital status, documents, no charge: *HB 1395, CH 84
 Voter registration services, state offices: *SHB 1548, CH 211

COUNTY AUDITOR—cont.

Voter registration, uniform information collection required: HB 1697

COUNTY TREASURER

Claim payment, procedures: SHB 1130, HB 1224, *SSB 3103, CH 128

Fines, collection and distribution procedures: SHB 1183

Forest lands classified: SHB 1429, *SB 4421, CH 204

Fund handling fee modified: HB 1569

Real property tax delinquency penalties waived: *HB 706, CH 185

COURTS (See also COURT OF APPEALS; DRUNK DRIVING; JUDGES; SUPREME COURT)

Administrator for the courts, salary: HB 1145, *SB 3376, CH 20

Adoption procedures modified: *SHB 626, CH 155

Amending statutes superseded by court rule: *SB 4439, CH 76

Appearance of fairness, ex parte conversations: SSB 4626, *HB 1649, CH 191, SSB 4626

Child support, enforcement and collection procedures: HB 1433

Child support obligations: SSB 4373, *SHB 1627, CH 260

Child support orders, health insurance: *SSB 4730, CH 201

Claims against the state, bond requirement removed: SB 4426

Clerks duties modified: SHB 1130, *SSB 3103, CH 128

Convict statements, inmate classification: HB 1216, *SB 4352, CH 114

Court improvement act of 1984: *SSB 4430, CH 258

Criminal sentencing revised: *SHB 1247, CH 209

Criminally insane, psychiatric security review board: HB 1382

Deposition filing procedures: HB 1437

Domestic violence, family conciliation court: HB 1434

Domestic violence prevention act: HB 1527, *SSB 4541, CH 263

Drunk driver enforcement impact account: SHB 983

Drunk driving deterrence and victims compensation account: HB 1701

Eminent domain judgments, interest rate increased: HB 1366

Fees, collection and distribution procedures modified: SHB 1183

Fines, collection and distribution procedures modified: SHB 1183

First amendment rights, judicial review of government actions: HB 1393, HB 1650

Gross misdemeanor penalties, maximum, authorized by limited jurisdiction courts: HB 1574

Habeas corpus procedures modified: HB 1521

Homestead appraisers, appointment and compensation: *SB 4491, CH 118

Interpreters, non-English speaking or hearing impaired: HB 1621

Judgment lien, 10 year period: *SSB 4357, CH 21

Jurisdiction, law suits to collect wages, etc. by employee: HB 1385

Juror segregation in nonsmoking areas: HB 1323

Juvenile records release: HB 1120

Prisons, alternatives to total confinement, study: *SB 4798, CH 246

Probation, conditions: *HB 1166, CH 46

Salaries, judges, repealer of certain sections: *SSB 4430, CH 258

Traffic infractions, municipal courts, jurisdiction: *SSB 4430, CH 258

Visitational interference, gross misdemeanor: HB 1433

CREDIT CARDS AND CHARGES

Lender credit card agreements regulated: *SHB 1163, CH 280

Municipal corporations, political subdivisions travel expenses: *HB 392, CH 203

CRIME VICTIMS COMPENSATION

Beneficiary defined: HB 1446

Drunk drivers, victim compensation permitted: HB 1401

Drunk driving deterrence and victims compensation account: HB 1701

Unemployment compensation, disability: *SB 4345, CH 65

Witnesses and survivors, provided for: SHB 711

CRIMES

Child pornography, sexual exploitation and commercial promotion: HB 1112, HB 1115, HB 1244, *SB 4309, CH 262

Computer trespass, 1st and 2nd degree: *SHB 1106, CH 273

Correction employees injured on job, paid leave: HB 593, *HB 1378, CH 284, *SB 4798, CH 246

Criminal justice council repealed: *HB 1110, CH 30

Criminal justice information act: SHB 1230, *2SSB 4380, CH 17

Criminal justice system, joint committee: *SSB 3429, CH 234

Criminal negligence redefined: HB 1525

Criminal sentencing revised: *SHB 1247, CH 209

Custodial interference, class C felony: HB 1433

Custodial interference is a gross misdemeanor or felony: SSB 3387

Custodial interference, 1st and 2nd degree: *SHB 1687, CH 95

Decompression chambers to kill animals prohibited: HB 1654

CRIMES—cont.

Dependent or vulnerable adults, protection: *HB 1328, CH 97
 Driver license suspended, under 17, certain offenses: HB 1260
 Duck blinds, shall not vandalize, intent, unusable: SB 4640
 Evidence, police officers good faith belief: HB 1441
 Evidence, sexual contact, children under 10: HB 1184
 Explosives, penalty modified: *HB 1121, CH 55
 Explosives, teaching, demonstrations, civil disorders: SHB 1558
 Family abandonment, class C felony: *SHB 1627, CH 260
 Fireworks, gross misdemeanor: *SHB 1652, CH 249
 Fireworks sales and use: SB 3636
 Fraud, theft, child commits, parent liable: SB 3119
 Glue sniffing, toxic vapors or fumes: *SB 3117, CH 68
 Gross misdemeanor penalties: HB 1574
 Insanity, conditional release modifications: HB 1382
 Insanity, conditional release, tracking system: SSB 3654
 Insanity defense, right or wrong defined: HB 1296
 Interpreters, non-English speaking or hearing impaired: HB 1621
 Juvenile offenders, medical and dental records: HB 1515, SHB 1515
 Juvenile records release: HB 1120
 Juveniles represented by public counsel, fees: *SHB 1539, CH 86
 Meter tampering is theft: SHB 921
 Motor vehicle fuel, alcohol, label dispensing device: HB 1668, *SHB 1668, CH 61
 Noise devices on public lands unlawful if intend to stampede game: SB 4640
 Notice to law enforcement, victims, witnesses: 2SHB 307
 Pesticide application act, violations, penalties imposed: HB 1570
 Pornography: *SB 4309, CH 262
 Prostitution, classification enhanced if a minor participates: HB 29
 Prostitution, minimum penalties provided: HB 1507
 Prostitution, select committee to study: HFR 162
 Public assistance violators, DSHS may bring to trial: HB 1448
 Racketeering, penalties: *SSB 4435, CH 270
 Search and seizure, violate sentence condition or requirement: *SHB 1247, CH 209
 Special verdict, insanity issue: HB 1382
 Stolen property, pawnbrokers, second-hand dealers: *SSB 4274, CH 10
 Strip searches, release or immediate release: SHB 1565
 Theft, fraud, child commits, parent liable: SB 3119
 Trespass, land, livestock or commodities: *SHB 1302, CH 49
 Victim impact statement: SHB 711

CRIMINAL JUSTICE COUNCIL

Repealed: *HB 1110, CH 30

CRIMINAL JUSTICE TRAINING COMMISSION

Drug use, interdepartmental committee: HB 1440
 Managerial skills, pilot-scale management assessment and training program: HB 1638
 Membership modified: HB 1284

DAIRY PRODUCTS

Dairy products, Youngren family, all members recognized: *HFR 150
 Milk and milk product testing laws: HB 1425, *SSB 4419, CH 226

DAMS

Dam safety report required: *HB 1295, CH 83

DEAF

Disabled persons and their service dogs, revisions: SB 4661
 Education duties modified: SHB 1238
 Malicious harassment: *SB 4228, CH 268

DEBTS (See also BONDS; SECURITY INTERESTS)

Execution and redemption, personal/real property: *SSB 4111, CH 276

DENTISTS AND HYGIENISTS

Board of dental examiners changed to dentistry: HB 1596
 Dental assistance plan act of 1984: HB 1648
 Dental hygiene board created: HB 1555
 Dental hygiene board powers modified: HB 1629
 Dental hygienists authorized to work in health care facilities: HB 1557
 Dental hygienists, disciplinary procedure: *SHB 1178, CH 279
 Dental operations, performance, unlicensed persons: HB 1647
 Disciplinary procedures, consolidation, health care professionals: *SHB 1178, CH 279
 Hospitals must let dentists use: HB 1712

DENTISTS AND HYGIENISTS—cont.

Insurance, free to choose own dentist: HB 1661

DIETITIANS

Dietetics practices act: SSB 4379

DIKING DISTRICTS

Election and operation procedures simplified: SHB 1134

DISCRIMINATION

Age, marital status, religion, women, minorities: SSB 4623
 Age discrimination, freedom from, is a civil right: HB 1523
 Community property considerations prohibited, WMBE: HB 1478
 Comparable worth act repealed: HB 1634
 Comparable worth, committee to study established: *HCR 34
 Comparable worth special legislative team: *SSCR 140
 Economic equity act, equality for women: *HJM 16
 Health maintenance organizations: *SHB 1418, CH 32
 Interpreters, non-English speaking or hearing impaired: HB 1621
 Malicious harassment, mental, physical, sensory handicap: *SB 4228, CH 268
 Math/science skills, teachers, women and minorities: *SB 4432, CH 265
 Persons reporting official misconduct, discrimination, unfair practice: HB 1459
 Sex-based discrimination in insurance prohibited: HB 1339
 Sexual harassment, benefits, disqualification: HB 1143, HB 1462

DOUGLAS COUNTY

100th anniversary, continued prosperity wished: *HFR 171

DRAINAGE DISTRICTS

Election and operation procedures simplified: SHB 1134

DRUGS (See also PHARMACISTS)

Abuse, education provided: SB 4237
 Abusers, civil commitment procedures, examine need for: HB 1663
 Controlled substance possession, sale or use, tax: SSB 4340
 Controlled substances schedule revised: HB 469
 Education, misuse and abuse, health care practitioners: HB 1663
 Interdepartmental committee on drug use: HB 1440
 Marijuana authorized for bona fide medical reasons: HB 1359
 Marijuana possession for sale or use tax: SSB 4340
 Nancy Reagan commended, drug and alcohol abuse education: *HFR 136
 Taxation, possession for sale or use: SSB 4340
 Use, interdepartmental committee on: HB 1440

DRUNK DRIVING

Alcohol awareness program funded by penalty assessments: 2SSB 3617
 Arrest for DWI, confiscate license, temporary: *SHB 977, CH 219
 Driver licenses, alcohol education as a prerequisite: HB 1299
 Drunk driver enforcement impact account: SHB 983
 Drunk driving deterrence and victims compensation account: HB 1701
 Enforcement cost impact, grants, adjudication: *SHB 1582, CH 110
 Funds, hearings for suspension, revocation: HB 1710
 Idaho drinking age of 21 endorsed: HFR 177
 Mandatory minimum fines to fund DWI programs: HB 1421
 Open container law: *SSB 4362, CH 274
 Roadblocks authorized between midnight and 5 a.m.: HB 1508
 Teenage curfew: HB 1657
 Victim compensation permitted: HB 1401

EASTERN WASHINGTON UNIVERSITY

Coordination with WSU: SHB 1363

ECOLOGY, DEPARTMENT OF

Acid rain, study: HB 1264, *2SHB 1174, CH 277
 Aquifer systems: SHB 1139, HB 1541, SSB 3415
 Comprehensive plan, ground water supply as an element: *HB 1138, CH 253
 Cooperative wetland and riparian habitat conservation act: HB 1141
 Dam safety report required: *HB 1295, CH 83
 Flood control assistance fund: HB 1531, *SHB 1531, CH 212
 Ground water, public water supplies: *HB 1138, CH 253
 Litter control and recycling act modified: HB 1426
 Nisqually river system management plan: HB 1250
 Nuclear waste disposal sites, legislative approval: SCR 142
 Select science advisory council on acid rain: HB 1264

ECOLOGY, DEPARTMENT OF—cont.

- Shoreline management, hearings, judicial review: SHB 486, SHB 685
- Solid waste disposal permits: *SHB 1164, CH 123
- Special purpose districts, election, operation procedures: SHB 1134
- Special purpose districts, environmental impacts: HB 1644
- Water, minimum flows required before permits issued: HB 1633
- Water permit fee increased: HB 412
- Water resources coordination council established: HB 1239
- Wetland or riparian land tax exempt: HB 1141

ECONOMIC RECOVERY (See also EXPORTING and IMPORTING)

- Centennial partnership act: *SSB 4794, CH 231
- Community growth and development: HB 1466
- Economic and revenue forecast council: *SHB 1083, CH 138
- Economic development, cities and counties, public purpose: HB 1445
- Economic equity act, equality for women: *HJM 16
- Economic stabilization task force, plant closures, layoffs: SSB 4709
- Employment stabilization, layoffs, closure, notice: HB 1394
- Environmental profile to assist businesses: *HB 1373, CH 94
- Export projects sponsored by the port: HB 1204, SHB 1204
- Grays Harbor improvement project requested: *HJM 33.
- Honorary commercial attache program: *SSB 4849, CH 175
- Industrial development revenue bond issues: *SHB 1262, CH 257
- International investments, office established: *SB 4852, CH 176
- International trade development advisory council: SHB 1193
- Investment tax credits, seed capital: SHB 1691
- Job training partnership act agency: SHB 1589
- Nonprofit corporations, county/city participation, public purpose: SSB 3276
- Nuclear weapons industry conversion to peaceful usage: HB 1601
- Public development authority: *SB 4374, CH 116
- Savings bond act adopted, nontax source of revenue: HB 1646
- Small business assistance coordinating council: *2SHB 689, CH 282
- Small business development center, WSU: HB 1616, *SB 4668, CH 77
- Small business improvement council: 2SSB 3982
- Strategic economic development commission: HB 1636
- Tourism, destination tourism attractions: *SSB 4794, CH 231

EDUCATION, BOARD OF (See also SCHOOLS AND SCHOOL DISTRICTS; SUPERINTENDENT OF PUBLIC INSTRUCTION)

- Educational excellence act of 1984, adopted: HB 1261
- Graduate level professional teacher preparation program: HB 1243, SSB 4395
- Physical education requirement removed: HB 145, SSB 4576
- Teacher certification, competency tests as prerequisites: HB 1312
- Teacher training, pilot project: SHB 876
- Teaching certificate, comprehensive exam required: 2SHB 1344

EDUCATION (See also SCHOOLS AND SCHOOL DISTRICTS; SUPERINTENDENT OF PUBLIC INSTRUCTION; individual colleges and universities)

- Advisory council on public education: HB 876
- Alcohol and drug abuse: SB 4237
- Continuing education for school personnel: HB 1313
- Council for post-secondary, scholar program fee: SHB 1228, *SHB 1246, CH 278
- Drunk driver enforcement impact account: SHB 983
- Educational clinics, LBC duties: HB 1217, SB 4350
- Educational excellence act of 1984, adopted: HB 1261
- Excellence in education defined: SSB 4395
- Excellence, programs to promote and achieve: HB 1243
- Research, clearinghouse on education information: SB 4410, SSB 4395

EL SALVADOR

- Refugees, grant safe haven: *HJM 37

ELDERLY

- Abuse, DSHS investigate, suitability of care: SHB 1605
- Abuse in nursing homes: SHB 346
- Abuse, neglect, or abandonment, home care: *HB 1328, CH 97
- Accessory apartments for senior citizens, fixed income, study: HFR 186
- Age discrimination: HB 1523, SSB 4623
- Disabled, respite care demonstration project: HB 1271, *2SHB 1137, CH 158, HB 1271
- Fisheries stamps, exempt: SHB 1362
- Fishing permits for groups of facility residents: *SB 3379, CH 33
- Nursing home patients, preadmission screening, alternate care: HB 1518

ELDERLY—cont.

Parks, \$50 for one year pass to certain parks: HB 1155
 Senior executive skills, program to use: HB 1410

ELECTIONS (See also **CAMPAIGNS**)

Absentee ballots, unregistered qualified electors: 2SHB 761
 Absentee ballots, hospital patients: *SHB 1101, CH 27
 Absentee ballots, uniform information: HB 1697.
 Absentee voters, procedure: *SHB 1547, CH 109
 Ballot proposition forms, tax levies: SHB 1353, *SSB 3178, CH 131
 Ballot title lengths equalized for local ballots: HB 401
 Consolidation, contiguous municipal corporations: *HB 392, CH 203
 Costs, state to pay prorated share: HB 1520
 County auditor, certain duties modified: SSB 4381
 County freeholders, appointments, vacancies: *SSB 3098, CH 163
 Cultural arts, stadium and convention district formation: HB 122
 District court judge, majority at primary, unopposed: HB 30
 Early result dissemination prohibited: HB 1226
 Electric power and capacity contracts: SHB 1556
 Energy facilities bond authorization: SB 3001
 Exit polling law reenacted: HB 1529
 Federal reserve system, AG to challenge, submit to voters: SSB 4778
 Federal, vacancy procedures: HB 1281, HB 1318, SSB 4381
 Filing fees for indigent candidates, waiver: HB 1492
 Filing procedures for indigents and others: *SHB 1282, CH 142, SSB 4559
 Financial disclosure, elected officials, state officers: HB 1245, *SB 4312, CH 34
 Financing of election campaigns, counties less than 5,000: HB 1132
 Hospital districts, territory removal procedures: *SHB 571, CH 100
 Irrigation district polling places: *SSB 3868, CH 168
 Law enforcement districts authorized: HB 1667
 Olympic county created subject to voter approval: SB 3264
 Polling places, clerical error correction: *SB 4469, CH 35
 Primary, partisan, vacancy exception removed: HB 1233
 Property tax levies, general obligation bonds: HJR 48
 Recall procedures: *SSB 3984, CH 170
 Redistricting commission, membership criteria: *SB 4304, CH 13
 School district excess levies: SHB 439, SHJR 29
 School district levies, simple majority vote: HJR 18
 Special purpose districts, property assessments authorized: HB 1483
 Special purpose districts, simplified: SHB 1134
 Voter pamphlet, mailing addresses, telephone numbers: *SHB 699, CH 54.
 Voter pamphlet, candidates' statement, conditions: SB 3449
 Voter pamphlet, counterfeit prohibited: *SHB 827, CH 41
 Voter pamphlets, local authorized: *SHB 1415, CH 106
 Voter registration, state offices: *SHB 1548, CH 211
 Voter registration, special absentee ballots: HB 1551

EMERGENCY SERVICES (See also **MT. ST. HELENS**)

Athletic health care and training council created: *SSB 4484, CH 286
 Civil defense funding for nuclear attack opposed: HJM 5
 CPR training for students required: HB 1278
 Emergency management, duties modified: SHB 1265, *SSB 4561, CH 38
 Federal employees, standards in emergency medical care and transportation: SHB 1700
 Nuclear attack, evacuation plan: HB 1129
 Scene of emergency, duties of persons on the scene: SB 4361

EMPLOYMENT SECURITY, DEPARTMENT OF

Automation plan, appropriation: *SB 4342, CH 16
 Defense worker retraining: HB 1601
 Economic stabilization task force, plant closures, layoffs: SSB 4709
 Minimum wage, state to be equivalent with federal: HB 1576
 Political activities, employees, permissible activities: SSB 4326
 Work hours, maximum established: HB 1688

ENERGY FACILITIES AND ENERGY FACILITIES SITE EVALUATION COUNCIL (See also **WPPSS**)

Bond authorization elections, eligibility expanded: SB 3001
 Dangerous wastes from energy facilities, apply dangerous waste law: SHB 1581, *SB 4607, CH 237
 Public disclosure reports: SSB 3259

ENERGY (See also UTILITIES; WPPSS)

Building code includes 1980 energy code: HB 1303
 Building efficiency, commercial and residential: HB 2
 Dangerous wastes from energy facilities: SHB 1581, *SB 4607, CH 237
 Electricity, privilege tax, city-owned facility: HB 1498
 Electricity transmission outside state, sales tax exempt: HB 1678
 Energy account created, petroleum overcharges: HB 1524
 Energy development and financing, interstate compact: HB 1598
 Energy facilities bond authorization: SB 3001
 Hanford reservation, a National Energy Center: *HJM 30
 Hydroelectric power license fee increased: HB 411
 Joint operating agency operations and procedures modified: HB 1592
 Meter tampering is theft: SHB 921
 Model conservation standards for new structures: SHB 162
 Nuclear generating projects, debts retroactive: HB 1575
 Nursing home retrofits: SHB 1341
 Regional power council, member, eastern Washington: *SSB 3827, CH 223
 Renewable resources, contracts to finance electric generating facilities: SHB 1556
 Termination of heating service restricted: *SSB 4490, CH 251

EXPLOSIVES

Ports, weight and numbers, no restrictions: HB 1639

EXPORTING AND IMPORTING

Agricultural commodities trade center: SB 4398, *SHB 1207, CH 57
 Agricultural market development task force: *SSB 4423, CH 90
 Forest products, provisional center for international trade, UW: *SHB 1205, CH 139, SB 4514
 International investment, honorary commercial attache program established: *SSB 4849, CH 175
 International investments, office established: *SB 4852, CH 176
 International trade development: HB 1193, SCR 154, *SSB 4494, CH 151
 Port district sponsored export projects: SHB 1204
 South African Krugerrands, tax exemption, not apply: SSB 3385

FAMILY LAW

Adoption procedures modified: *SHB 626, CH 155
 Child abuse and neglect, investigate social service agencies: HB 1605, SHB 1605
 Child care demonstration project for state employees: HB 1655, *SHB 1655, CH 162
 Child support, collection of, DSHS limited to 10% per month: HB 1320, HB 1562, SSB 4303, SSB 4373, SB 4651, *SHB 1627, CH 260
 Child support enforcement act: HB 1510
 Child support, enforcement and collection procedures: HB 1433
 Child support orders, health insurance coverage, conditions: *SSB 4730, CH 201
 Children and family services act, cost itemization: *SSB 4814, CH 180
 Community property considerations prohibited in WMBE application process: HB 1478
 Custodial interference, civil damages, expenses, fees: *SHB 1687, CH 95
 Custody, interference with is a gross misdemeanor: SSB 3387
 Domestic violence, family conciliation court jurisdiction not exclusive: HB 1434
 Domestic violence prevention act: HB 1527, *SSB 4541, CH 263
 Marriage license requirements modified: HB 1374
 Uniform parentage act, updating and clarifying: HB 1699, *SHB 1627, CH 260

FEDERAL GOVERNMENT

Abduction of children, Hague convention, ratify: SJM 124
 Balanced federal budget requested: HJM 35
 Boating safety act money use for marine-oriented facilities: HB 1683
 Boldt decision: SJM 120
 Central America, policy modification requested: HJM 38
 Civil defense funding for nuclear attack opposed: HJM 5
 Clean air act, DOE authorized to participate: HB 1272
 Coal mining, federal preemption, procedure: *SHB 480, CH 215
 Economic equity act, equality for women: *HJM 16
 El Salvadoran refugees, grant sale haven: *HJM 37
 Elections, senate vacancy, same party, procedures: HB 1318
 Elections, state to pay a prorated share of cost: HB 1520
 Elections, vacancy procedures: HB 1281
 Emergency medical care and transportation, standards: SHB 1700
 Federal reserve act, repeal: SJM 121
 Federal reserve system, AG to challenge, submit to voters: SSB 4778
 Finance charges for cashing government checks: HJM 41
 Finance charges, legislation to modify: HJM 40
 Grays Harbor improvement project requested: *HJM 33,

FEDERAL GOVERNMENT—cont.

Guatemalan refugees, grant safe haven: *HJM 37
 Hague convention, abduction of children, ratify: SJM 124
 High-level radioactive waste, disposal: *SHB 1637, CH 161
 National academy of peace and conflict resolution: HJM 42
 Nuclear waste policy, consideration of liability issue: *SJM 131
 Peace and conflict resolution, national academy requested: HCR 12
 Radioactive waste sites, review others: HJM 39, *SJM 127
 Redistricting commission membership, supreme court duties: *SB 4304, CH 13
 Senate vacancy, filling procedure, same political party: HB 1233
 Taxpayer antitrust enforcement act of 1983: *HJM 34
 Unanticipated funds, expenditure procedure: HB 1215
 Vietnam war, dead or missing honored: *SHB 1266, CH 81

FINANCIAL INSTITUTIONS (See also BANKS; CREDIT UNIONS; SAVINGS AND LOAN ASSOCIATIONS)

Automatic payment of taxes: HB 1430
 Federal reserve act, repeal: SJM 121
 Finance charges for cashing government checks: HJM 41
 Finance charges, legislation to modify: HJM 40
 Holding company acquisitions, 5% of stock: SHB 1185
 Mortgage loan rights act: HB 1617
 Public depositories, law revised: *SSB 4332, CH 177
 Small business assistance coordinating council: *2SHB 689, CH 282
 WPPSS financial resolution called for: SCR 107

FIRE PROTECTION (See also STATE FIRE MARSHAL)

Burning permits, issuance: *SB 4650, CH 229
 Cigarettes, self-extinguishing mandated: HB 1550
 District reorganization: *SSB 4711, CH 230
 Districts, building and property inspections: *SB 4619, CH 238
 Explosives, port district destined: HB 1639
 Fire extinguishers regulated: HB 1516
 Fire trucks, licensing for excess weight permitted: HB 1486
 Forest protection assessments, exemptions and assessments: HB 1102
 Hazardous materials incident command agency designation: *SSB 3740, CH 165
 Hazardous substances in the workplace and community, disclosure: 2SHB 863, *2SSB 4831, CH 289

Hazardous waste handlers public disclosure records: SHB 669
 LEOFF, children tuition benefit age lowered: SHB 856
 LEOFF employees, salary discontinuation disability: HB 1257
 LEOFF, joint select committee on: SCR 149
 Off-road vehicles, certain, noise and fire exemption: HB 1222
 Pension liabilities, budget, appropriation bill: HB 1273
 Port districts to contract with cities: HB 1404
 Retirement, tax deferral benefits: *SSB 4477, CH 227
 Scene of emergency, duties of persons on the scene: SB 4361
 Smoking in public areas restricted: SHB 229
 Volunteer firemen, PERS: *SB 4731, CH 121

FIREWORKS

Common fireworks defined: HB 1615
 Common fireworks, definition modified: SHB 1176
 Common fireworks specifically defined: *SHB 1652, CH 249
 Interstate transportation into state prohibited: HB 1615
 Local regulations, restrictive: SHB 1151, *SHB 1652, CH 249
 Regulations by cities, counties, more restrictive, notify fire marshal: HB 1161

FISHERIES, DEPARTMENT OF

Angling gear prohibited on patrol vessels: HB 1225
 Aquatic land enhancement account: *2SHB 1231, CH 221
 Blind person exemption for stamps: HB 1362, SHB 1362
 Boldt decision: SJM 120
 Bottom trawling in parts of Puget Sound prohibited: HB 1165, SHB 1165
 Clam digging, hydraulic, Port Susan Bay prohibited: SHB 1362
 Dungeness crab season, year round, certain waters: HB 1447
 Fishing licenses free for certain blind or wheelchair confined persons: SHB 1702
 Fishing licenses, steelhead punchcard free if certain conditions met: SSB 3800
 Fishing permit, groups, residential facilities: *SB 3379, CH 33
 Habitat buffer zones, bald eagles: *SSB 4788, CH 239
 License plates, personalized, nongame specie clarified: HB 803
 Salmon enhancement cooperative authorized: HB 1583

FISHERIES, DEPARTMENT OF—cont.

Salmon fishing violations, wilful violations: HB 1289
 Sport fishing license to take food fish and shellfish: HB 1362, SHB 1362
 Technical corrections in fisheries code: *HB 1162, CH 80
 Toll-free telephone for reporting violations: HB 1499
 Vessel and licenses, purchase program modified: *SB 4428, CH 67
 Veterans over 65, free stamps or punchcards: SHB 1362
 Volunteer fish and wildlife enhancement projects: *SSB 4367, CH 72
 Warm water fish stamp, requirement removed: SB 3045, *SSB 3169, CH 240
 Water, minimum flows required before permits issued: HB 1633

FLOOD CONTROL DISTRICTS

Election and operation procedures simplified: SHB 1134
 Flood control maintenance projects: *SHB 1531, CH 212

FLOOR RESOLUTIONS - HOUSE

Accessory apartments for senior citizens and those on fixed incomes, local government committee to study: HFR 186
 Air Canada silver broom 1986 hosts: *HFR 106
 Apple commission, Joe Brownlow recognized: *HFR 151
 Appointment of committee to notify senate that house is ready for 1984 session: *HFR 103
 Auburn High School cheerleading squad, national champs: *HFR 144
 Bellevue Wolverines, AAA football champs: *HFR 107
 Bills, memorials, joint resolutions, and concurrent resolutions in possession of the clerk be indefinitely postponed: *HFR 188
 Bonnie Dunbar, spacelab expedition crew member, September 1985: *HFR 138
 Boy Scouts, recognition: *HFR 124
 Brewster High School class B basketball champs: *HFR 169
 British Columbia commended for working with state: *HFR 174
 Bulb Company, Bill and Dickie Roozen applauded for their fine work: *HFR 148
 Central Washington Wildcats, swim champs: *HFR 176
 Child protective services study by LBC: HFR 182
 China, 7000 years of discovery, promote attendance: *HFR 110
 Community college, state board to study benefits and problems of part-time faculty: *HFR 158
 Community college students commended: *HFR 112
 Community college students commended for their efforts: *HFR 112
 Community growth, committee to examine existing laws and policies: HFR 187
 Counties, creation of new, local government committee to study: *HFR 180
 Curling, Air Canada silver broom 1986 hosts: *HFR 106
 Dairy products, Youngren family, all members recognized: *HFR 150
 Dan Dawson, renewed health wished for: *HFR 183
 Debbie Armstrong, gold medal in giant slalom, superb performance congratulated: *HFR 132
 DNR and Parks and Recreation, examine exchange of property: HFR 185
 Douglas County, 100th anniversary: *HFR 171
 Dry peas and lentils, dry pea and lentil day: HFR 118
 Executive rules committee for completion of house work created: *HFR 179
 Exercise your constitution project, METROCENTER YMCA: *HFR 152
 Fluke, John Sr., be remembered for his indomitable spirit: *HFR 131
 Franklin High School renovation, rather than replacement, urged: *HFR 155
 Girl Scout week, March 11 through 17, 1984: *HFR 156
 Health insurance high-risk pool, prepare legislation: HFR 126
 Higher education committee to study governance of higher education: HFR 159
 Higher education committee to study tuition and fees and financial aid: HFR 172
 Honorary page, Marianne McCusker: *HFR 157
 Idaho drinking age of 21 endorsed: HFR 177
 Industrial operations, cessation of operations and layoffs, study: *HFR 166
 Joe Brownlow of state apple commission: *HFR 151
 Joe Schilling and the injured workers organization, efforts recognized: *HFR 170
 Joint select committee to improve legislative history usefulness and access: *HFR 153
 Julie Brown and Marianne Dickerson commended for contributions to women's athletic endeavors: HFR 165
 Julie Brown, contributions to the betterment of women's athletic endeavors: *HFR 168
 Kelso High School band, state champs: *HFR 133
 Kelso High School Highlanders, state AA champs: HFR 108
 Kelso High School, state football champs: *HFR 134
 Kelso, 100 years since filing of town plat: *HFR 135
 Lakes High School boys' swim team, state champs: *HFR 173
 LBC, study of child protective services: HFR 182
 Legislative history, joint select committee to improve usefulness and access: *HFR 153
 Lions Clubs, service commended: *HFR 129

FLOOR RESOLUTIONS - HOUSE—cont.

- Lobbyist reporting, constitution, elections, and ethics committee to study: *HFR 163
 Marianne McCusker, best wishes for her academic endeavors extended: *HFR 157
 Martin Luther King 55th birthday: *HFR 104
 Marv Harshman's ability to teach honored: *HFR 119
 Nancy Reagan commended for her commitment to drug and alcohol abuse education: *HFR 136
 National agriculture day, 3/20/84: *HFR 130
 National vocational education week: *HFR 139
 Navy Carrier Battle Group, warm welcome: *HFR 109
 Nursing homes, social and health services committee study: HFR 178
 Order of DeMolay, sixty-fifth anniversary of the Order saluted: *HFR 147
 Oregon income tax on Washington residents, examine and evaluate: *HFR 117
 Oregon tax situation, AG called upon to challenge: HFR 121
 Pacific Northwest world trade council be commended for 10/2/84 exposition: *HFR 125
 Pasco centennial, 100 years proud: *HFR 140
 Phil and Steve Mahre, gold and silver medals: *HFR 141
 Port Townsend High School girls' basketball team, class A champs: HFR 181
 Productivity board suggestion award winners: *HFR 111
 Project 2001, congratulated: *HFR 123
 Prostitution, select committee to study: HFR 162
 Public assistance recipients, study on employment programs: HFR 175
 Public assistance study by the institute for public policy to determine the needs of low-income parents: HFR 164
 Public disclosure reporting requirements, constitution, elections, and ethics committee to study: *HFR 163
 Ridgefield High School womens volleyball champs: *HFR 128
 Roozen, Bill and Dickie, Bulb Company accomplishments noted: *HFR 148
 Rosalynn Sumners, Olympic Silver figure skating champ: *HFR 145
 Rosalynn Sumners, success in Sarajevo, wishes extended: *HFR 116
 Secondary school recognition program, schools commended: *HFR 161
 Select committee to review existing laws and policies relating to community growth: HFR 187
 Sentencing guidelines commissions, due recognition to meritorious service: *HFR 154
 Sine die, 1984, 3 members be appointed to notify senate: *HFR 189
 Skagit Valley College Cardinals, 1984 community college champs: HFR 184
 Snoqualmie Falls forest theater, saluted: *HFR 142
 SR 500 designated as Henry M. Jackson Parkway: *HFR 127
 Steilacoom High School Sentinels, class A basketball champs: *HFR 167
 Steve Faulkner commended for saving Ms. Jessup's life: *HFR 120
 Susan B. Anthony day in Washington state, 2/15/84: *HFR 122
 Synchronized swimmers, Tracy Ruiz and Candy Costie, congratulated: *HFR 137
 Telephones, reverse customer access line charge, order refunds: *HFR 115
 Temporary rules to be considered for permanent adoption: *HFR 3 (1983)
 U.S. Navy Carrier Battle Group, support: *HFR 109
 Walla Walla High School wrestling team, state AAA champs: *HFR 143
 Washington State Olympic medal winners applauded: *HFR 146
 Wenatchee girls' volleyball: *HFR 105
 WIAA, interschool activities, examine: *HFR 160
 WPPSS plant 2, self-sustaining chain reaction commended: *HFR 114
 WWU women's basketball team, honored for national ranking: *HFR 149
 Yasser Seirawan, chess champion: *HFR 113
 Youngren family, dairy accomplishments noted: *HFR 150

FOOD (See also AGRICULTURE)

- Candy, small amounts of alcohol authorized: *SSB 4758, CH 78
 Dietics practices act: SSB 4379
 Meat, in bulk or gross, retail sale information: HB 1420
 Milk and milk product testing laws: HB 1425, *SSB 4419, CH 226
 Organic labeling act: HB 1232
 Tax on food for human consumption prohibited: HJR 47

FUNDS

- Aid and attendants fund, nursing home patients at veterans' home: HB 1600, SHB 1600
 Aquatic land enhancement account: *2SHB 1231, CH 221
 ASB program fund, donations, use: *SHB 1400, CH 98
 Budget stabilization account appropriation use modified: HB 1658
 Centennial partnership fund: *SSB 4794, CH 231
 Children's trust fund child abuse and neglect council: *SSB 4653, CH 261
 Construction of RV rest area system, fund authority removed: HB 1377
 Corrections, impact on communities: *SB 4798, CH 246
 County treasurer handling fee modified: HB 1569

FUNDS—cont.

Dedicated funds or accounts, termination of certain: HB 1383
 Drunk driver enforcement impact account: SHB 983
 Drunk driving deterrence and victims compensation account: HB 1701
 Drunk driving, suspension, revocation, denial of license: HB 1710
 Employment commission service fund created: HB 1553
 Employment security automation plan: *SB 4342, CH 16
 Energy account, petroleum overcharges: HB 1524
 Financial report, all funds, accounts annually: HB 1330, *SB 4504, CH 247
 Flood control assistance fund: *SHB 1531, CH 212
 General fund, revenue accrual account modified: HB 1206
 General fund surpluses, sales tax reductions: HB 1606
 Grant county arterial highway construction: SSB 4055
 Higher education emergency capital projects account: HB 1684
 Higher education supplement retirement fund established: HB 1368
 Legislative facilities fund established: SSB 3622
 Lobbying with public funds prohibited, limitation modified: HB 1152
 Migratory waterfowl revolving fund created: HB 1305
 Parkland acquisition account established: *SSB 4775, CH 87
 Public facilities construction loan revolving fund: HB 1269, *SHB 1262, CH 257
 Public works assistance account established: *SSB 4404, CH 244
 Resource management cost account created: *2SHB 181, CH 222
 Revenue accrual account, transfer to DSHS: SHB 1653
 Savings bond redemption fund created: HB 1646
 School plant facilities, general obligation bonds: HB 1182
 State employees insurance reserve account created: HB 1417
 State facilities emergency account created: HB 1208
 State route 101, construction: HB 1708, HB 1709
 Surface mine reclamation account created: *SHB 480, CH 215
 Unanticipated funds, expenditure procedure: HB 1215
 Worker and community right-to-know fund: 2SHB 863, *2SSB 4831, CH 289

GAMBLING (See also STATE LOTTERY)

Bingo definition limited for purposes of gambling laws: HB 1632
 Card games, pull tabs, commercial stimulants: SB 3114
 Casino nights, play money, authorized: HB 1640
 Coin-operated devices, tax modified: *SB 4286, CH 135
 Contests of chance, grocery outlets: SHB 1169
 Fund raising event, conditions: *HB 1149, CH 207
 Member of nonprofit organization, enlarged: *SB 4300, CH 70
 Nonprofit organizations revenue increased: SB 3312
 Nonprofit organizations, winnings, limit increased: SSB 3434
 Racketeering, penalties: *SSB 4435, CH 270
 Slot machines, tax modified: *SB 4286, CH 135

GAME, DEPARTMENT OF

Aquatic land enhancement account, cooperative fish and game projects: *2SHB 1231, CH 221
 Fishing licenses free, blind or wheelchair persons: SHB 1702
 Fishing licenses, steelhead punchcard free if certain conditions met: SSB 3800
 Fishing permits, elderly and handicapped: *SB 3379, CH 33
 Habitat buffer zones, bald eagles: *SSB 4788, CH 239
 Hunter orange may be required: HB 1158
 In lieu of taxes: *SHB 105, CH 214
 Interference with hunting, unlawful on public lands: SB 4640
 License plates, personalized, nongame specie clarified: HB 803
 Migratory waterfowl management committee created: HB 1305, HB 1309
 Name change to department of wildlife: HB 1154
 Special hunting season defined: *SSB 3169, CH 240
 Sport fishing license, food fish and shell fish: SHB 1362
 Warm water fish stamp, requirement removed: SB 3045, *SSB 3169, CH 240
 Wetland or riparian land tax exempt: HB 1141
 Wildlife damage claims authorized: HB 1252

GASOLINE

Alcohol in motor vehicle fuel, label dispensing device: *SHB 1668, CH 61

GENERAL ADMINISTRATION (See also BANKS; CREDIT UNIONS; SAVINGS AND LOAN ASSOCIATIONS)

Child care demonstration project, state employees: *SHB 1655, CH 162
 Comparable worth, committee to study established: *HCR 34
 Consultant services, use limited: HB 1331
 Emergency purchasing, legislative oversight: *HB 1119, CH 102

GENERAL ADMINISTRATION—cont.

Institutional industries, commodities, potential, review: HB 1467
 Legislative buildings, removed from control of G.A.: SSB 3622
 Life-cycle cost, expand beyond energy analysis: HB 1109
 Prison jobs, creation of: HB 1467
 Skills directory of state personnel to be kept: HB 1308
 State facilities emergency account created: HB 1208
 Veterans' loan insurance program repealed: *HB 1108, CH 29, SB 4291

GOVERNOR

Address to Joint Session, State of State pp. 41-45
 Boards and commissions, uniform compensation: *HB 1159, CH 287
 Child abuse and neglect council name changed: *SSB 4653, CH 261
 Community growth and development: HB 1466
 Criminal justice council repealed: *HB 1110, CH 30
 Economic and revenue forecasting council created: *SHB 1083, CH 138
 Financial report of all funds and accounts annually: HB 1330, *SB 4504, CH 247
 Gubernatorial appointments, need confirmation by next regular session: SB 3507
 Jail capacity emergency: *SHB 1247, CH 209
 Medal of merit created for deceased: HB 1369
 Notify governor that legislature is ready, state of the state message: *HCR 31,
 Salmon enhancement cooperative authorized: HB 1583
 Senate, U.S., vacancy, filling procedure: HB 1233
 Supplemental 1984 budget adopted: HB 1156, *SHB 1156, CH 285
 Supplemental 1984 capital budget adopted: *SHB 1157, CH 182
 Supplemental 1984 transportation budget: *SHB 1200, CH 2
 Teacher salary survey, use in 1985 budget: HB 1532
 Unanticipated funds, expenditure procedure: HB 1215

GRAYS HARBOR

Navigation improvement project requested: *HJM 33.

GUATEMALA

Refugees, grant safe haven: *HJM 37

GUBERNATORIAL APPOINTMENTS

Alden, Christenia L., member, Commission for Vocational Education: SGA 169
 Alverson, Robert D., member, Pacific Marine Fisheries Commission: SGA 142
 Anderson, Deanna, member, Washington High-Technology Coordinating Board: SGA 176
 Baker, Donald M., member, Washington High-Technology Coordinating Board: SGA 177
 Banks, Cherry A. McGee, member, board of trustees, Shoreline community college district no. 7: SGA 93
 Berry, C. Michael, member, WPPSS executive board of directors: SGA 67
 Blosser, J.H. "Jack", member, Export Assistance Center Board of Directors: SGA 115
 Borth, Judith J., member, Board of Trustees for Wenatchee Community College District No. 15: SGA 164
 Bradford, Robert W., member, Washington High-Technology Coordinating Board: SGA 178
 Brock, Marilu M., member, Board of Trustees for Highline Community College District No. 9: SGA 204
 Brockett, Donald C., member, Sentencing Guidelines Commission: SGA 152
 Bruland, Margaret, member, Board of Trustees for Everett Community College District No. 5: SGA 161
 Cable, Thomas, member, Council for Postsecondary Education: SGA 184
 Clarke, Harold D., member, Sentencing Guidelines Commission: SGA 153
 Coan, Michael D., member, Council for Postsecondary Education: SGA 146
 Colligan, Chief Bernard, member, Juvenile Disposition Standards Commission: SGA 137
 Collins, Charles T., member, Pacific Northwest Electric Power and Conservation Planning Council: SGA 203
 Costa, Manuel, E., member, Sentencing Guidelines Commission: SGA 186
 Doub, James A., member, Washington High-Technology Coordinating Board: SGA 180
 Duff, Brian R., member, Export Assistance Center Board of Directors: SGA 116
 Dzedzic, Paul, Director, Department of Services for the Blind: SGA 111
 Earley, John A., member, Gambling Commission: SGA 124
 Edmondson, Betty L., member, Board of Trustees for Yakima Community College District No. 16: SGA 192
 Endresen, Mark C., member, Public Employment Relations Commission: SGA 147
 Enlow, Fred C., member, board of trustees, Eastern Washington university: SGA 95
 Evans, Daniel J., member, Pacific Northwest electric power and conservation planning council: SGA 107
 Fennerty, Frank, member, Board of Industrial Insurance Appeals: SGA 173
 Flavel, Captain M.R., member, Board of Pilotage Commissioners: SGA 200
 Flores, Rueben A., member, Board of Trustees for Central Washington University: SGA 187

GUBERNATORIAL APPOINTMENTS—cont.

- Granger, Richard A., member, Export Assistance Center Board of Directors: SGA 174
- Haas, Catherine May, member, Human Rights Commission: SGA 134
- Hall, Mary D., member, utilities and transportation commission: SGA 63
- Hancock, Robert L., member, Washington High-Technology Coordinating Board: SGA 179
- Haworth, David P., member, Marine Employees' Commission: SGA 140
- Hendricks, D.G. "Jerry", member, Export Assistance Center Board of Directors: SGA 117
- Hennum, Lars, member, state board of pharmacy: SGA 97
- Herman, Michael Kim, member, Housing Finance Commission: SGA 126
- Hirai, Paul, member, Board of Trustees for Big Bend Community College District No. 18: SGA 165
- Hume, Frederick R., member, Washington High-Technology Coordinating Board: SGA 181
- Hyslop, Thomas, member, Board of Regents for Washington State University: SGA 150
- Ikeda, Tsuguo "Ike", member, Commission for Vocational Education: SGA 170
- James, Carol B., member, Board of Trustees for Bellevue Community College District No. 8: SGA 163
- Johnson, Charles V., member, Sentencing Guidelines Commission: SGA 154
- Jones, John D., member, Board of Tax Appeals: SGA 155
- Justice, David, member, board of trustees, Walla Walla community college district no. 20: SGA 85
- Keach, Kenneth L., member, Export Assistance Center Board of Directors: SGA 118
- Kirschbaum, James L., Chair, Housing Finance Commission: SGA 127
- Kokjer, Donald E., member, Marine Employees' Commission: SGA 141
- Lamb, Isabelle, member, Export Assistance Center Board of Directors: SGA 119
- Laxton, H. Dean, member, board of trustees, Big Bend community college district no. 18: SGA 58
- LeCocq, Irwin J., member, board of trustees, Western Washington university: SGA 39
- Lee, Kai N., member, Pacific Northwest Electric Power and Conservation Planning Council: SGA 144
- Lekstrum, J. Marvin, member, Export Assistance Center Board of Directors: SGA 120
- Little, Carol C., member, Housing Finance Commission: SGA 128
- Little, Stanley M. Jr., member, Export Assistance Center Board of Directors: SGA 121
- Littlejohn, Marilyn J., member, Housing Finance Commission: SGA 129
- Lobe, Ludwig, member, health care facilities authority: SGA 90
- Loposer, Avery K., member, Board of Trustees for Olympic Community College District No. 3: SGA 160
- Mack, Paul, member, state lottery commission: SGA 20
- Mackey, Ralph E., member, Interagency Committee for Outdoor Recreation: SGA 135
- Maleng, Judith T., member, Board of Trustees for Western Washington University: SGA 159
- Massart, James E., member, Board of Trustees for Shoreline Community College District No. 7: SGA 162
- Matson, Jim, member, Export Assistance Center Board of Directors: SGA 175
- Mayo, Ronald D., member, WPPSS Executive Board of Directors: SGA 171
- McCormach, Jane M., member, Higher Education Personnel Board: SGA 125
- McGough, Hugh R., member, Public Disclosure Commission: SGA 198
- McHenry, Darlene C., member, human rights commission: SGA 68
- Moldstad, W. Kelley, member, Board of Trustees for Skagit Community College District No. 4: SGA 188
- Moriguchi, Tomio, member, board of trustees, Seattle community college district no. 6: SGA 73
- Novak, Vanna H., member, State Lottery Commission: SGA 138
- Olesen, Douglas E., member, Washington High-Technology Coordinating Board: SGA 182
- Olsen, Jeanne Rounds, member, Board of Regents for Washington State University: SGA 151
- Olson, Donald L., member, Board of Trustees for Spokane Community College District No. 17: SGA 193
- O'Neil, William J., member, Board of Trustees for Whatcom Community College District No. 21: SGA 166
- Owen, Brad, member, Pacific Marine Fisheries Commission: SGA 143
- Patton, Carolyn, member, state lottery commission: SGA 18
- Patton, Carolyn V., Director, Office of Minority and Women's Business Enterprises: SGA 113
- Primley, Nanci C., member, Housing Finance Commission: SGA 130
- Rahm, Karen, Secretary, Department of Social and Health Services: SGA 194
- Rice, C. Thomas, member, Board of Trustees for Clark Community College District No. 14: SGA 191
- Richmond, Charles R., member, Housing Finance Commission: SGA 131
- Roberts, Mabel E. "Mickey", member, board of trustees, Whatcom community college district no. 21: SGA 80
- Robinson, William T., member, Board of Trustees for The Evergreen State College: SGA 158
- Rose, Anne H., member, Housing Finance Commission: SGA 132

GUBERNATORIAL APPOINTMENTS—cont.

- Runstad, Adair F., member, board of trustees, Walla Walla community college district no. 20: SGA 60
- Sanford, Larry, member, State Board for Community College Education: SGA 114
- Sarkowsky, Herman, member, Board of Regents for the University of Washington: SGA 148
- Schrock, Richard T., member, Export Assistance Center Board of Directors: SGA 122
- Semerad, David C., member, commission for vocational education: SGA 64
- Shearer, Burt A., member, Board of Pilotage Commissioners: SGA 201
- Sherman, Vaughn A., member, Board of Trustees for Edmonds Community College No. 23: SGA 168
- Skadan, Janet, member, Board of Regents for the University of Washington: SGA 149
- Smith, Orphalee, member, Board of Trustees for Whatcom Community College District No. 21: SGA 167
- Steinborn, Sydney, member, WPPSS Executive Board of Directors: SGA 172
- Stern, Bernice, member, State Transportation Commission: SGA 156
- Stevens, Vincent L., chairman, state health coordinating council: SGA 96
- Stewart, Louis O., member, Marine Employees' Commission: SGA 183
- Stewart, Rindetta D., member, Board of Trustees for Fort Steilacoom Community College District No. 11: SGA 189
- Sweeney, Leo B., member, State Transportation Commission: SGA 157
- Swift, Earlyse Allen, member, Board of Trustees for Centralia Community College District No. 12: SGA 190
- Taha, Shani, member, Council for Postsecondary Education: SGA 185
- Thomas, Joe E., Ph.D., member, Washington High-Technology Coordinating Board: SGA 199
- Waldt, Lawrence G., member, gambling commission: SGA 10
- Waldt, Lawrence, member, State Lottery Commission: SGA 138
- Wall, William E., member, WPPSS executive board of directors: SGA 66
- Warden, Virginia W., member, Interagency Committee for Outdoor Recreation: SGA 136
- Warren, F. George, member, state board for community college education: SGA 75
- Watson, Richard H., Director, State Energy Office: SGA 112
- Wheeler, Marc, member, board of trustees, Centralia community college district no. 12: SGA 109
- White, Walter E., member, Personnel Appeals Board: SGA 145
- Wick, Donald R., member, Housing Finance Commission: SGA 133
- Williams, Nancy, member, Export Assistance Center Board of Directors: SGA 123
- Zimmerman, Lynda, member, Hospital Commission: SGA 196
- Zoloth, Arthur M., member, state board of pharmacy: SGA 90

GUNS

- Civil disorders, firearms prohibited: HB 1558, SHB 1558
- Hunter orange may be required: HB 1158

HAIRSTYLING (See also COSMETOLOGY)

- Barbers, cosmetologists, and manicurists regulated: *SHB 1187, CH 208
- Hairstyling advisory board created: HB 1187

HANDICAPPED

- Abuse, DSHS investigate: SHB 1605
- Adults, disabled, respite care: HB 1271, *2SHB 1137, CH 158
- Autism as a developmental disability: SHB 346
- Blind, deaf, changed to impaired: SHB 1238
- Costs of operating state institutions, determining: HB 1635, SHB 1635, *SSB 4708, CH 200
- Custody, interference is a gross misdemeanor or felony: SSB 3387
- Disabled parking, cardiovascular disease may qualify: *2SHB 448, CH 154
- Disabled parking: SB 3222, *SHB 1390, CH 51
- Disabled persons and their service dogs, revisions: SB 4661
- Fishing permits for groups of facility residents: *SB 3379, CH 33
- Interpreters, non-English speaking or hearing impaired: HB 1621
- Malicious harassment, includes mental, physical, or sensory handicap: *SB 4228, CH 268
- Nursing home patients, preadmission screening care: HB 1518
- Preschool education required, handicapped children: *SHB 1311, CH 160
- Schools, children, age revised: HB 1546
- Utility rate reduction, low-income: SB 4347
- Wheelchair confined persons, fisheries stamps, punchcards, free: SHB 1362, SHB 1702

HAZARDOUS SUBSTANCES

- Acid rain, study, monitoring by DOE: *2SHB 1174, CH 277
- Acid rain study: HB 1264
- Birth defects, information and surveillance: *SHB 1105, CH 156
- Clean up of hazardous material incidents: *SSB 3740, CH 165
- Dangerous waste disposal violations: SHB 1581, *SB 4607, CH 237
- Dangerous waste land disposal: *SHB 1438, CH 254

HAZARDOUS SUBSTANCES—cont.

Dangerous wastes, all substances defined: HB 1436
 Dangerous wastes, DOE to develop and manage a program: HB 1307
 Glue, toxic vapors or fumes, category broadened: *SB 3117, CH 68
 Handlers, public disclosure records: SHB 669
 Hanford reservation, a National Energy Center: *HJM 30
 Hanford, state leased land, long-range plan: SSB 3152
 High-level nuclear waste storage: SB 4558
 High-level radioactive waste, long-term disposal: *SHB 1637, CH 161
 License to possess, etc. nuclear material: *SHB 1153, CH 96
 Low-level radioactive waste: SB 4689
 Nuclear attack, evacuation plan: HB 1129
 Nuclear waste disposal site agreement, approved: HCR 37
 Nuclear waste disposal sites, legislative approval: SCR 142
 Nuclear waste policy, consideration of liability: *SJM 131
 Nuclear weapons industry conversion to peaceful usage: HB 1601
 Peace and conflict resolution: HCR 12
 Pesticide application act, violations, penalties imposed: HB 1570
 Private carriers regulated for safety: HB 1465
 Radioactive waste sites, review others: HJM 39, *SJM 127
 Right-to-know advisory council: 2SHB 863, *2SSB 4831, CH 289
 Select science advisory council on acid rain: HB 1264

HEALTH CARE AND SERVICES (See also specific types of providers)

Abortion, sex selection purposes, performance prohibited: HB 1398
 Abortions, fetal pain information to be given by MD: HB 1399
 Abortions, parental consent, unemancipated minors: HB 1405, SB 4607
 Acupuncturist board created: SB 4643
 Athletic health care and training council created: *SSB 4484, CH 286
 Birth defects, information and surveillance: *SHB 1105, CH 156
 Blood donors may specify recipients: HB 1677
 Cancer research, excise tax from cigarettes: SB 3309
 Child support orders, health insurance coverage: *SSB 4730, CH 201
 Children, newly born, sixty day notice period: *HB 1103, CH 4
 Chore services, volunteer program established: HB 1214
 Construction sites, sanitary facilities required: HB 1671
 Cost containment committee established: HB 1538
 County, health department, director qualifications: SHB 713, *2SHB 713, CH 25
 CPR training for students required: HB 1278
 Dental hygienist, allowed procedures expanded: HB 1629
 Dental hygienists may practice in health care facilities: HB 1596
 Dietetics practices act: SSB 4379
 Direct payment to health care providers: HB 1661
 Disciplinary procedures, various health care professions: *SHB 1178, CH 279
 Dispensing options, apprentices, modifications: HB 1623
 Drug misuse and abuse educational programs: HB 1663
 Drugless healers, naturopathic physician: HB 1612
 Health care assistants, minor services: *SSB 4448, CH 281
 Health care providers, payment procedures: *HB 880, CH 283
 Health insurance high-risk pool, prepare legislation: HFR 126
 HMOs, discriminatory practices prohibited: *SHB 1418, CH 32
 Hearing aids exempt from sales and use tax: HB 1329
 High blood pressure pilot program: HB 1609
 Home health care, abused, dependent adults: *HB 1328, CH 97
 Home health care provisions revised: *SB 4787, CH 22
 Hospital commission, authorized to review costs and rates: HB 1669
 Hospital commission purpose modified: HB 1588, *SSB 4403, CH 288
 Inhalation therapy systems, sales and use exempt: SB 4412
 Insurance coverage, conversion rights: SSB 3741
 Insurance, group disability, cost restraint: HB 1686
 Insurance, conversion, continuation provided for: *SHB 1564, CH 190
 Insurance, preferred provider arrangements: SHB 1177
 Joint select committee on public health created: *SSB 4306, CH 243
 Lawsuits, 8 year statute of limitations removed: HB 1412
 Mandated benefits, cost assessment report: *SHB 1179, CH 56
 Marijuana authorized for bona fide medical reasons: HB 1359
 Medical student loan forgiveness: SHB 1566
 Nursing home patients, preadmission screening: HB 1518
 Occupational disease, workers' compensation: *HB 1142, CH 159
 Occupational therapy practice act enacted: *SSB 3074, CH 9

HEALTH CARE AND SERVICES—cont.

- Ocularists, deregulating: HB 1280
- Opticians, dispensing, apprentices, modifications: HB 1623
- Respite care demonstration project: HB 1271, *2SHB 1137, CH 158
- Scene of emergency, duties of persons on the scene: SB 4361
- Smoking in public areas restricted: SHB 229
- Smoking in the workplace: SHB 1464
- Smoking pollution control act: HB 1464, SHB 1464

HEALTH, STATE BOARD OF

- Board membership modified: *SSB 4306, CH 243
- Board powers and duties: SHB 509
- Water quality tests, public supply systems: *SHB 1191, CH 187

HIGHER EDUCATION PERSONNEL BOARD

- Board, duties transferred to employment commission: HB 1553
- Career executive program established: SHB 1170
- Civil service laws modified: HB 1378
- Employee exchange agreements, public/public, private/public: HB 1253
- Nurses, prohibiting personnel exemptions: HB 1317

HISTORICAL CONSERVATION

- Archaeological materials from cairns and graves: SSB 4710
- Cities, counties, title, property: *HB 392, CH 203
- Cities may fund historic preservation activities: HB 1408
- Historical societies, directors, six-year terms: SSB 4529
- Public corporations, commissions, authorities, tax modified: HB 1237
- Public development authority, property, tax exempt: *SB 4374, CH 116

HORSE RACING COMMISSION

- Racketeering, penalties: *SSB 4435, CH 270

HOSPITALS (See also HEALTH CARE AND SERVICES)

- Absentee ballots, hospital patients: *SHB 1101, CH 27
- Abuse, state hospitals, restraining order: SHB 346
- Blood donors may specify recipients: HB 1677
- Commission, authorized to review costs and rates: HB 1669
- Commission duties enlarged: HB 1587
- Commission membership altered: HB 1588, *SSB 4403, CH 288
- County, authority to establish revised: *SHB 791, CH 26
- Dentists may use: HB 1712
- Districts, boundaries: *HB 392, CH 203
- Districts, territory removal procedures: *SHB 571, CH 100
- Sale of district property, appraisal: *SHB 1666, CH 103
- Sales and use exemption for free hospitals: HB 1221
- State, costs: SHB 1365, *SSB 4708, CH 200

HOTEL-MOTEL

- Bed and breakfast, permit, beer/wine: *HB 1147, CH 45
- Convention and trade center excise tax repealed: *SB 4358, CH 115

HOUSEBOATS

- Used, new, sales tax: *SHB 1275, CH 192

HOUSE OF REPRESENTATIVES

- Appointment of member, oath of office, Pat Scott p. 2
- Appointment of member, oath of office, Steve Van Luven p. 2
- Executive Rules Committee; referring 1983 bills pp. 3-5
- *HFR 84-103; notifying Senate House organized p. 2
- Interim committee appointments pp. 5-6, 145
- Joint Select Committee on Workers' Compensation; appointments p. 826
- Members; statements:
- Allen, Katherine p. 480
- Bond, Richard M p. 480
- Dellwo, Dennis p. 322
- Grimm, Dan; J. King; J. Tanner p. 1433
- Hankins, Shirley p. 1208
- Isaacson, Ray pp. 802, 1208
- King, Paul pp. 143, 144, 1167
- Locke, Gary p. 858
- Long, Jeanine pp. 554, 824
- Nealey, Darwin pp. 117, 1021
- Sanders, Paul pp. 318, 623, 1303, 1433
- Van Luven, Steve pp. 1104

HOUSE OF REPRESENTATIVES—cont.**Members; Point of Personal Privilege:**

Van Luvan, Steve	p. 582
Williams, B	p. 496
Wilson, Simeon	p. 1440
Rules; amendments to House Rules	pp. 52-53
Speaker; presentation of gift from members	p. 1441
Speaker's Privilege:	
Alaskan legislative members	p. 553
Boy Scout Leader John Patrick Short	p. 403
Coach Marv Harshman, U of W Huskies	p. 262
Margaret Heckler, Secretary of U.S. Health & Human Services	p. 531
Lakefair Queen, Cecilia Carlson	p. 68
Standing committee appointments	p. 5

HOUSING

Accessory apartments, senior citizens, fixed income, study: HFR 186
Building inspector certification: HB 1571
Current use assessment, single family residence: HB 1290, HJR 46
Mobile home landlord and tenants: HB 1117, SB 4316, *SHB 1270, CH 58, SB 4316
Mobile home parks termination of tenancy modified: HB 1259
Model conservation standards for new structures: SHB 162
Shelters, homeless persons, exempt from taxation: SB 3438
Single family residences, separate quarters, relatives: SB 3777
Uninhabitable dwellings, enforcement procedures: *HB 939, CH 213

HOUSING FINANCE COMMISSION

Fraudulent schemes to obtain financing, investigate: HB 1316
IRS, tax exempt bond ceiling, 1983-86: *HB 1107, CH 28

HUMAN RIGHTS COMMISSION (See also DISCRIMINATION)

Unfair practice, petition, procedure: SSB 4623
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IDAHO

Drinking age of 21 endorsed: HFR 177

INSURANCE (See also LABOR AND INDUSTRIES)

Amusement rides, coverage required: SSB 3003
Boilers and pressure vessels: HB 1351
Carnival ride operators to possess liability insurance: HB 517
Children, newly born, sixty day notice period: *HB 1103, CH 4
Convention and trade center health insurance and vacations exempt: *SHB 1279, CH 210
Conversion rights: SSB 3741
Credit life insurance, group policy limitations: SB 4018
Dental assistance plan act of 1984: HB 1648
Foreign truckers, proof of ability to respond in damages: HB 1630
Gender-based discrimination in insurance eliminated: HB 1339
Good faith dealings required: HB 1229
Group disability, cost restraint: HB 1686
Health care coverage, child support, when: *SSB 4730, CH 201
Health care, cost assessment report: *SHB 1179, CH 56
Health care, loss of: *SHB 1564, CH 190
Health care, preferred provider arrangements: SHB 1177
Health care providers, direct payment provided for: HB 1661
Health insurance coverage, retirees and dependents: SHB 1367
Health insurance high-risk pool, prepare legislation: HFR 126
HMOs, discriminatory practices prohibited: *SHB 1418, CH 32
Home health care provisions revised: *SB 4787, CH 22
Hospice care, insurance coverage: *SB 4787, CH 22
Local government risk exposure studies funding: HB 531
Mutual insurers, reorganization plan: *SB 4642, CH 23
National guard, life insurance, spouse: SHB 1620
Nursing homes, authorized to form self-insurance groups: HB 1370
Offenders, community service liability insurance: *SSB 4334, CH 24
Overinsurance requirement prohibited: *HB 1423, CH 6
Pilots, limitation of liability: *SSB 3133, CH 69
Rates regulated: HB 1113, SB 4170
Schools, coverage may be obtained through state: HB 1622
State employee group insurance programs: *HB 1419, CH 107
State employees insurance board, expansion: SHB 1123
State employees insurance reserve account created: HB 1417
Surety bond, theatrical enterprise business: *SSB 4220, CH 89

INSURANCE—cont.

Surplus line insurance, conditions: HB 1567, HB 1579

Variable life contracts, death benefit requirement removed: HB 1586

Veteran loan insurance, repealed: SB 4291, *HB 1108, CH 29

INVESTMENT BOARD

Members, state treasurer may appoint designee: HB 1396

INVESTMENTS AND SECURITIES

Broker-dealer, 1% gross income business tax: SSB 4069

International investment, honorary commercial attache program established: *SSB 4849, CH 175

International investments, office established: *SB 4852, CH 176

IRRIGATION AND IRRIGATION DISTRICTS

Districts, joint separate legal authority: *SSB 3868, CH 168

Electric power and capacity contracts, hearing: SHB 1556

Irrigation assessments, notification of delinquency: HB 1502

Nuclear generating projects, debts, retroactive: HB 1575

ISLANDS

Burial of human remains on, conditions: *SSB 4110, CH 53

JAILS (See also CORRECTIONS)

Alternatives to total confinement, study: *SB 4798, CH 246

Capacity emergency, modifications: *SHB 1247, CH 209

Financial responsibility: *2SSB 3815, CH 235

Juveniles, special circumstances: *SHB 1514, CH 272

Offenders, community service liability insurance: *SSB 4334, CH 24

Probation, conditions: *HB 1166, CH 46

Release and admission, reporting: SHB 1230, *2SSB 4380, CH 17

Strip searches, personal recognizance release: SHB 1565

Strip searches, special task force: HCR 44

JANITORS

Employees, minors, may enter liquor establishments: *SB 4320, CH 136

JEFFERSON COUNTY

Olympic county created: SB 3264

JOINT MEMORIALS

Abduction of children, Hague convention, ratify: SJM 124

Balanced federal budget requested: HJM 35

Boldt decision: SJM 120

Central America, policy modification requested: HJM 38

China, mutual bilateral elimination of trade barriers: SSJM 112

Civil defense funding for nuclear attack opposed: HJM 5

Economic equity act, equality for women: *HJM 16

Finance charges, federal reserve to adopt rules: HJM 40

Finance charges for cashing government checks, federal reserve to adopt rules: HJM 41

Finance charges, legislation to modify: HJM 40

Financial aid, draft registration prerequisite, repeal: HJM 36

Grays Harbor improvement project requested: *HJM 33,

Hague convention, abduction of children, ratify: SJM 124

Hanford reservation, a National Energy Center: *HJM 30

National academy of peace and conflict resolution: HJM 42

Nuclear waste policy, consideration of liability issue: *SJM 131

Radioactive waste sites, review others: HJM 39, *SJM 127

Refugees, grant safe haven: *HJM 37

Taxpayer antitrust enforcement act of 1983: *HJM 34

JOINT OPERATING AGENCY (see also WPPSS)

Board authority expanded: SHB 631

Bond authorization elections, eligibility expanded: SB 3001

Dangerous wastes, energy facilities: SHB 1581, *SB 4607, CH 237

Executive board compensation limits: SHB 1758

Executive boards must file public disclosure reports: SSB 3259

Formation procedures modified: HB 1592

Nuclear generating projects, debts, retroactive: HB 1575

Operations and procedures modified: HB 1592

WPPSS plant 2, self-sustaining chain reaction commended: HFR 114

JOINT SESSIONS

Address, Allan E. Gottlieb, Canadian Ambassador to U.S. pp. 245 - 250

Governor Spellman, State of State Address pp. 41- 45

JUDGES (See also COURTS)

Court improvement act of 1984: *SSB 4430, CH 258
 District court judge, unopposed, general election: HB 30
 Full time, definition by salary: SB 3143
 Joint interim committee on the judicial retirement system: SCR 150
 Judgment lien, 10 year period: *SSB 4357, CH 21
 Judicial retirement system, joint interim committee: SCR 150
 Justice of the peace statutes repealed: *SSB 4430, CH 258
 Retirement: HB 1692, *SSB 4477, CH 227
 Retirement, excess compensation: *SHB 843, CH 184
 Retirement, transfer from public system: *SB 4506, CH 37
 Salaries increased: HB 1263, *SB 3208, CH 64

KENNEWICK

Consolidation of Pasco, Kennewick, Richland: *SHB 1435, CH 8

KING COUNTY

West Hylebos creek wetlands conservation area established: HB 1679

LABOR AND INDUSTRIES, DEPARTMENT OF

Accident fund, procedures modified governing payments: HB 1659
 Amusement rides, regulation by permits and inspections: SSB 3003
 Antique boiler regulations: *HB 739, CH 93
 Construction sites, sanitary facilities required: HB 1671
 Disability compensation, adjusted: HB 1358
 Electrical code enforcement, may contract with counties: HB 1306
 Forest industry groups may form self-insurance groups: HB 1675
 Hazardous substances, employer duties: 2SHB 863, *2SSB 4831, CH 289
 Industrial injuries, death, 3rd-party actions: HB 1607, *HB 1386, CH 218
 Industrial insurance, certain manual labor not covered: HB 1662
 Industrial insurance, claimants may review own file: HB 1619
 Industrial insurance, compensation application: HB 1595
 Industrial insurance coverage, agricultural labor: SHB 257
 Industrial insurance, enhanced injury: *SB 3118, CH 63
 Industrial insurance, interest payments on awards, defined: HB 1493
 Industrial insurance, joint select committee to review system: *HCR 35,
 Industrial insurance, lien compromises on recoveries: HB 1694
 Industrial insurance, occupational disease, claim filing: *HB 1142, CH 159
 Industrial insurance, offenders, community service: *SSB 4334, CH 24
 Industrial insurance, 3rd-person suits against U.S. contractors limited: HB 1607
 Industrial insurance, 3-way authorized: HB 1333, HB 1375
 Injured workers, lay-off, suspend, discharge, limitations: HB 724
 Joe Schilling and the injured workers organization, efforts recognized: *HFR 170
 Risk management services, safety and loss control program: HB 1628
 Safety and loss control program: HB 1628
 Self-insurers, all agents to be certified: HB 1651
 Self-insurers, claim-handler criteria: SHB 1144
 Self-insurers, forest industry groups may form: HB 1675
 Self-insurers guaranty fund created: HB 1144
 Self-insurers, occupational disease, claim filing: *HB 1142, CH 159
 Self-insurers, ombudsperson to be appointed by director: HB 1144, SHB 1144
 Self-insurers, toll-free telephone line by ombudspersons: HB 1144, SHB 1144
 Self-insurers, toll-free telephone line to be maintained by claim administrators: HB 1144, SHB
 1144
 Smoking in public areas restricted: SHB 229
 Theatrical enterprises, wage claim against bond: *SSB 4220, CH 89
 Third-party claims, lien compromises: HB 1694
 Vocational rehabilitation, injured worker, choose own counselor: HB 1175
 Work hours, maximum established: HB 1688

LABOR RELATIONS

Collective bargaining, number of school days not an issue: HB 1672
 Collective bargaining, unemployment compensation: *SSB 3561, CH 134
 Collective bargaining, 4 year higher education institutions: HB 1140
 Community colleges, collective bargaining: HB 1219
 Comparable worth, committee to study established: *HCR 34
 Economic equity act, equality for women: *HJM 16
 Economic stabilization task force, plant closures, layoffs: SSB 4709
 Forest labor contractor defined: HB 1664
 Labor relations board created for labor relations program: HB 1553,
 Labor union employees included in PERS: HB 1552
 Law suits to collect wages, etc. by employee, jurisdiction: HB 1385

LABOR RELATIONS—cont.

LEOFF, collective bargaining: *2SHB 85, CH 150
 Minimum wage, state to be equivalent with federal: HB 1576
 Persons reporting official misconduct, discrimination: HB 1459
 Teacher contract negotiations, time limits: HB 1537
 Teachers, collective bargaining: SSB 4402
 Unfair practice, petition, procedure: SSB 4623
 Work hours, maximum established: HB 1688

LAND USE PLANNING

Appearance of fairness, ex parte conversations: SSB 4626, *HB 1649, CH 191
 Boundary review board, provisions revised: SHB 1380
 Community corporation, land use authority: SHB 879
 Community councils, establish by resolution, advisory: *HB 392, CH 203
 Comprehensive plan, ground water supply: *HB 1138, CH 253
 Conservation futures, certain exempt, ad valorem taxation: *SSB 3178, CH 131
 Endangered and threatened species, habitat buffer zones: *SSB 4788, CH 239
 Forest lands, DNR selling/ purchasing: *2SHB 181, CH 222
 Islands, burials, conditions: *SSB 4110, CH 53
 Joint ad hoc committee, county boundary adjustment: HCR 45
 Short plats, notice, adjacent land owners: *HB 1192, CH 47
 Single family residences, separate quarters, relatives: SB 3777
 Solid waste management, comprehensive plans: *SHB 1164, CH 123
 Wetland or riparian land tax exempt: HB 1141

LANDLORD TENANT

Apartment sales, notice procedures: HB 860
 Liens or security agreement, rent or damage: HB 1561
 Mobile home landlord and tenants: HB 1117, SB 4316, *SHB 1270, CH 58
 Mobile home parks, termination of tenancy modified: HB 1259
 Rent due, pay from court deposits of tenant: HB 1682
 Uninhabitable dwellings, enforcement procedures: *HB 939, CH 213

LAW ENFORCEMENT (See also STATE PATROL)

Collective bargaining, uniformed personnel: *2SHB 85, CH 150
 Council members volunteering as law enforcement officers, compensation: HB 1528
 Criminal justice system, joint legislative committee: *SSB 3429, CH 234
 Districts authorized: HB 1667
 Domestic violence prevention act: HB 1527, *SSB 4541, CH 263
 Evidence, police officers good faith belief: HB 1441
 Execution and redemption, personal/real property: *SSB 4111, CH 276
 Hazardous waste handlers public disclosure records: HB 669, SHB 669
 LEOFF, children tuition benefit age lowered: SHB 856
 LEOFF employees, salary discontinuation disability: HB 1257
 LEOFF, joint select committee on: SCR 149
 Notice, release or escape: *SHB 307
 Peace officer act of 1983: HB 718
 Pension liabilities: HB 1273
 Reflectorized warning, disabled cars: HB 1477, *SB 4527, CH 119
 Retirement, contributions: HB 1692, *SSB 4477, CH 227
 Retirement, excess compensation: *SHB 843, CH 184
 Retirement study commission act enacted: HB 1173
 Right-to-know advisory council established: 2SHB 863, *2SSB 4831, CH 289
 Scene of emergency, duties of persons on the scene: SB 4361
 Sheriffs, vacancies in offices: *SSB 4628, CH 199

LEGAL MESSENGERS

Exempted from WUTC regulations: *SSB 4050, CH 171

LEGISLATURE (See also CONCURRENT RESOLUTIONS; FLOOR RESOLUTIONS)

Appropriation and taxation measures, approval by minority party: HB 1458
 Appropriation legislation, affirmative votes of minority party: HJR 50
 Appropriations, limitations exposed: HJR 54
 Appropriations, tax and expenditure limitations: HB 1670
 Attorney general, public counsel section, WUTC: HB 1580
 Biennial 135 day session, return to: HJR 53
 Bills introduced in any session deemed introduced in next: HJR 43
 Bills, memorials, joint resolutions, and concurrent resolutions, indefinitely postponed: *HFR 188
 Boards and commissions, uniform compensation: *HB 1159, CH 287
 Budget stabilization account appropriations, use modified: HB 1658
 Capital budget and planning act: HB 1114
 Child protective services, joint select committee created: SB 4639

LEGISLATURE—cont.

Child protective services study by LBC: HFR 182
 Child support, joint committee created: SSB 4373, *SHB 1627, CH 260
 Children's mental health services, study: *SHB 1125, CH 157
 Community growth and development, joint select committee: HCR 39
 Community growth, examination of laws and policies: HFR 187
 Comparable worth, committee to study established: *HCR 34
 Comparable worth special team established: *SSCR 140
 Consultant contract use monitored, LBC: HB 1331
 Counties, new, local government committee to study: *HFR 180
 County boundaries, joint ad hoc committee: HCR 45
 Criminal justice system, joint committee: *SSB 3429, CH 234
 Cutoff dates, 1984 regular session: *HCR 32
 Drinking water, joint select committee to study: HCR 42
 Drug use, interdepartmental committee: HB 1440
 Eastside nursing home, study comparable allowable costs: SHB 1600
 Economic and revenue forecast council created: *SHB 1083, CH 138
 Executive rules committee, completion of house work: *HFR 179
 Expenditures, state, establishing limitations: HB 1443
 Funds, dedicated or reserved, review: HB 1383
 General administration control of buildings removed: SSB 3622
 Geothermal account, appropriation conditions: SHB 71
 Gubernatorial appointments, confirmation, next regular session: SB 3507
 Health care, legislative proposals: *SHB 1179, CH 56
 Health care reform, joint committee: HB 1538
 Health care systems, cost-effective, study: *SSB 4403, CH 288
 Health insurance high-risk pool, prepare legislation: HFR 126
 High-level nuclear waste storage: SB 4558
 Home schooling, joint select committee to review: HCR 41
 Industrial insurance, joint committee review: *HCR 35
 Industrial operations, cessation and layoffs, study: *HFR 166
 Information processing and communications: SSB 4800
 Joint rules of the 48th legislature adopted: *SCR 138,
 Judicial impact notes: SSB 4430
 Judicial retirement system, joint interim committee: SCR 150
 Law revision commission, per diem, travel: SB 3092
 LBC, oversight, state purchasing, emergencies: *HB 1119, CH 102
 LBC, study of child protective services: HFR 182
 LBC study of children services: *SSB 4814, CH 180
 LBC to study DWI prosecution and adjudication revenue and expenses: *SHB 1582, CH 110
 LBC, unanticipated fund duties: HB 1215
 LEAP may request alternative to the economic forecast: HB 1283
 LEOFF, joint select committee on: SCR 149
 Litter tax assessments, ad hoc committee recommendations: HB 1426
 Lobbyist reporting, constitution, elections, and ethics committee to study: *HFR 163
 Mandatory local measured telephone service rates, study: HB 1625
 Notify governor, legislature is ready: *HCR 31
 Notifying governor, legislature, adjourn sine die: *HCR 47
 Oregon income tax on Washington residents, study: *HFR 117
 Pension liabilities in budget document: HB 1273
 Practice of law, legislature authorized to regulate: HJR 49
 Prison board, crimes and new guidelines: HB 1501
 Prostitution, select committee to study: HFR 162
 Public assistance study, low-income parents: HFR 164
 Public disclosure reporting requirements, study: *HFR 163
 Public health, joint select committee created: *SSB 4306, CH 243
 Public retirement, joint interim committee: SCR 134
 Recreational needs, joint committee to formulate legislation: HCR 43
 Redistricting commission, membership criteria: *SB 4304, CH 13
 Reintroducing bills: *SCR 137,
 Retirement legislation, actuarial notes: HB 1173
 Revenue accrual account, prior biennium obligations: SHB 1653
 Senate notified that house is ready: *HFR 103
 Sine die, 1984 session: *HCR 47
 Sine die, 1984, 3 members be appointed to notify senate: *HFR 189
 Supplemental 1984 budget adopted: *SHB 1156, CH 285
 Supplemental 1984 capital budget adopted: *SHB 1157, CH 182
 Supplemental 1984 transportation budget adopted: *SHB 1200, CH 2
 Task force to examine strip searches at booking time: HCR 44
 Tax increases, approval required: HJR 42, HJR 55

LEGISLATURE—cont.

Teacher salary survey, use in 1985 budget: HB 1532
 Threatened and endangered species, select committee: *SSB 4788, CH 239
 Torts of state, ways and means: SHB 823
 Water resources, underground joint select committee to study: HCR 42

LIBRARIES

State library commission duties altered: HB 1223, *SSB 4321, CH 152
 Trustees, appointment, terms of modified: HB 1352

LICENSES

Acupuncturists licensed: SB 4643
 Automotive repairpersons, registration: HB 1364
 Boating safety provisions revised: *SSB 4578, CH 183
 Building inspector certification: HB 1571
 Businesses, certain deregulated: HB 1280
 Cosmetology, apprenticeship training: HB 368
 Dental hygiene board created: HB 1555
 Drug abuse and misuse prevention education program: HB 1663
 Fees, increased or assessed, yearly intervals: HB 1180, SB 3083
 Forest labor contractor licensure: HB 1664
 Health care assistants, minor health services: *SSB 4448, CH 281
 Health care professionals disciplinary procedures: *SHB 1178, CH 279
 Marriage license requirements modified: HB 1374
 Mental health counselors licensing: SSB 4537
 Notary public law revised: HB 1455
 Occupational therapy practice act enacted: *SSB 3074, CH 9
 Small business assistance coordinating council: *2SHB 689, CH 282
 Trade names, regulated: *2SSB 3158, CH 130
 Vendors, penalties increased for not having a license: HB 1150
 Watercraft tax: *SHB 255, CH 250
 Wine, bonded wine warehouse license: *SSB 4503, CH 19

LIQUOR CONTROL BOARD (See also ALCOHOL)

Amusement devices, serviced by under-age employees: *SB 4320, CH 136
 Bed and breakfast, beer or wine without charge: *HB 1147, CH 45
 Class K liquor licenses modified: *SB 4348, CH 71
 Drunk driving deterrence and victims compensation account: HB 1701
 Janitorial services, minor employees: *SB 4320, CH 136
 Malt and wine wholesalers, distributorship: *SSB 3901, CH 169
 Minor, consumption in home: SB 3521
 Tax on beer, wine, spirits, drunk driving deterrence, victims' compensation: HB 1701
 Training program for licensees: HB 1402
 Wine, bonded wine warehouse license: *SSB 4503, CH 19

LITTER CONTROL

Model litter control and recycling act: HB 1426

LIVESTOCK

Meat, in bulk or gross, retail sale information: HB 1420
 Meat, B&O lowered: SB 3929, SB 4409
 Trespass, land, livestock or commodities: *SHB 1302, CH 49

LOANS

Racketeering, penalties: *SSB 4435, CH 270
 Veteran loan insurance program repealed: SB 4291, *HB 1108, CH 29

LOCAL IMPROVEMENT DISTRICTS (See also specific districts)

Bonds, sold under par, treat difference as interest: HB 1554
 County road improvement district formation alternative: HB 911
 Election and operation procedures simplified: SHB 1134
 Local improvement hearings, procedure modified: *HB 392, CH 203
 Refund outstanding local improvement district bonds: SHB 1384

MARIJUANA

Medical reasons, authorized for certain: HB 1359
 Taxation, possession for sale or use: SSB 4340

MARTIN LUTHER KING

Birthday as school holiday: *SHB 69, CH 92
 Tribute paid on his 55th birthday: *HFR 104

MESSAGE OPERATORS

Deregulating: HB 1280
 Disciplinary procedures: *SHB 1178, CH 279

MEDAL OF MERIT

Procedures for bestowing: HB 1369

MENTAL HEALTH

Acutely mentally ill redefined: HB 1314
 Children and family services department established: SHB 1212
 Children's mental health services, study: *SHB 1125, CH 157
 Conditional release provisions modified: HB 1382
 Counselors licensed: SSB 4537
 Criminally insane, conditional release, tracking system: SSB 3654
 Custody, interference with is a gross misdemeanor: SSB 3387
 Disabled parking, mental health providers, conditions: SHB 448
 Insanity defense, right or wrong defined: HB 1296
 Involuntary detention, interview, petition: *SSB 3181, CH 233
 Psychiatric conditions, organic diseases or conditions: HB 1428
 Sexual psychopath, definition deleted: *SHB 1247, CH 209

METROPOLITAN MUNICIPAL CORPORATION

Council member compensation: HB 1332
 Special purpose district council representatives, vacancies: *HB 1128, CH 44

MILITARY (See also VETERANS AFFAIRS)

Active status, review after 3 years: *SSB 4579, CH 198
 Financial draft registration prerequisite, repeal: HJM 36
 National academy of peace and conflict resolution: HJM 42
 Navy Carrier Battle Group, warm welcome: *HFR 109
 Nuclear weapons industry conversion to peaceful usage: HB 1601
 Peace and conflict resolution: HCR 12
 State flags, send to overseas armed forces personnel: HB 1705
 Tuition, higher education, spouse and children: *SB 3044, CH 232
 U.S. Navy Carrier Battle Group, support: *HFR 109
 Vietnam war, dead or missing honored: *SHB 1266, CH 81

MINORITY AND WOMEN'S BUSINESS ENTERPRISES OFFICE

Application process: HB 1478
 Cities, purchasing or contracting encouraged: HB 1603
 Comparable worth, committee to study established: *HCR 34

MONEY

Federal reserve act, repeal: SJM 121
 Federal reserve system, AG to challenge, submit to voters: SSB 4778
 Tax exclusions: HB 1463, SSB 3385

MOTOR VEHICLES

Abandoned or unclaimed, sale procedure: SHB 1136
 Abandoned or disabled, procedures: HB 1593
 Alcohol education, prerequisite to driver license: HB 1299
 Alternative fuels, reflective placards: *HB 1427, CH 145
 Automotive repairpersons, registration: HB 1364
 Bankruptcy declarations, responsibility laws enforced: HB 1641
 Construction of RV rest area system, fund authority removed: HB 1377
 Disabled cars, reflectorized devices: HB 1477, *SB 4527, CH 119
 Disabled drivers, refueling services required: HB 1444
 Disabled persons and their service dogs, revisions: SB 4661
 Driver education, safety belts required: HB 1211
 Driver license, notice by 1st class mail: SB 3121
 Driver license records, access restricted: SHB 1624
 Driver license suspended, under 17, certain offenses: HB 1260
 Drivers under 18, restricted to provisional licenses: HB 1657
 Driving records included, employment driving record: *HB 1409, CH 99
 Emission inspections, publicly owned vehicles must comply: HB 1485
 Emission standards, noncompliance designation: HB 1706
 Fire trucks, licensing for excess weight permitted: HB 1486
 Foreign truckers, proof of ability to respond in damages: HB 1630
 Fuel containing alcohol, label: *SHB 1668, CH 61
 Insurance, penalties for operating without: HB 1315
 Legal messengers exempted from WUTC regulation: *SSB 4050, CH 171
 License plate renewal, 5 year replacement: *SHB 1698, CH 62
 License plates, personalized, nongame species clarified: HB 803
 Model traffic ordinance updated: *HB 1530, CH 108
 Off road vehicles, certain, noise, and fire exemptions: HB 1222
 Open container law, evasion, violation: *SSB 4362, CH 274
 ORV use permits, display requirements: HB 1707

MOTOR VEHICLES—cont.

Ownership record disclosure, procedure: *SSB 3194, CH 241
 Ownership transfer, notify department: *SB 4475, CH 39
 Provisional driver licenses for under 18: HB 1657
 Renewal, satisfaction of violations: *SB 4338, CH 224
 Sales and service warranties: *HB 1135, CH 148
 Seat belts, driver education: HB 1211, HB 1693
 Studded tires outlawed: HB 1116
 Teenage curfew: HB 1657
 Title transfer, notify department: *SB 4475, CH 39
 Traffic infractions, municipal courts: *SSB 4430, CH 258
 Two-way left turn lanes, clarifications: *SB 4289, CH 12

MT. ST. HELENS

Tourism promotion to be pursued: *SHB 1511, CH 122

MUNICIPAL CORPORATIONS (See also CITIES, COUNTIES)

Consolidation of contiguous corporations, special election modifications: *HB 392, CH 203
 Electric generation of sewer and water system: SHB 710

NATIONAL GUARD (See also MILITARY; VETERANS' AFFAIRS)

Active status, review after 3 years: *SSB 4579, CH 198
 Group life insurance, level rate: SHB 1620
 Unemployment insurance, special, exemption removed: HB 1643

NATURAL RESOURCES, DEPARTMENT OF (See also TAXES - TIMBER)

Aquatic land enhancement account: *2SHB 1231, CH 221
 Coal mining, federal preemption, procedure: *SHB 480, CH 215
 Community colleges, land exchange with certain: HB 1403
 DNR and Parks and Recreation, examine exchange of property: HFR 185
 Endangered and threatened species, habitat buffer zones: *SSB 4788, CH 239
 Exchange of school district or higher education land: HB 1450
 Fire protection assessments: HB 1102
 Forest industry groups may form self-insurance groups: HB 1675
 Forest labor contractor defined: HB 1664
 Forest land, reforestation land reclassified: SHB 1429
 Forest land valuation, adjusting: HB 1442
 Forest lands, sales and purchases, land use: *2SHB 181, CH 222
 Forest practices advisory committee abolished: HB 1488
 Forest product storage, transportation: *SHB 1407, CH 60
 Forest products, international trade: SB 4514, *SHB 1205, CH 139,
 Forests practices board, travel expense reimbursement: HB 1345
 Future farmers of america recognized: *SCR 143,
 Land bank created: *2SHB 181, CH 222
 Milwaukee Road, DNR authority: SHB 1172, *SSB 4329, CH 174
 Milwaukee Road, lease by adjoining owners: HB 1111
 Mineral interests, procedures: *SSB 4443, CH 252
 Oil and gas procedures: SHB 500
 Oil and gas severance and conservation act: 2SSB 3187
 Oil and gas severance and conservation act, 1984: HB 1350
 Parks, state parks timber: SSB 4666, *SHB 1227, CH 82
 Reclassified reforestation land: SHB 1429, *SB 4421, CH 204
 Resource management cost account created: *2SHB 181, CH 222
 Small-scale timber harvesters, 40% reduction in tax rates: HB 1424
 State urban lands, exchange provided for: HB 1534
 Timber land, current use assessment: *SSB 3504, CH 111
 Water supplies, public, access restrictions authorized: SHB 1584

NATUROPATHIC PHYSICIANS

Blood drawing and nutritional injections allowed: HB 1612

NAVIGATION (See also BOATS)

Boating safety provisions revised: *SSB 4578, CH 183
 Grays Harbor improvement project requested: *HJM 33,
 Pilot liability, provisions modified: HB 1597
 Pilots, limitation of liability: SSB 3133
 Watercraft tax: *SHB 255, CH 250

NEWS (See also TELEVISIONS)

Election results, early dissemination prohibited: HB 1226

NISQUALLY RIVER

Management program required for river system: HB 1250

NONPROFIT CORPORATIONS AND ORGANIZATIONS

Artistic or cultural organizations, B&O tax: HB 1656, SSB 4525
 Centennial partnership corporation: *SSB 4794, CH 231
 Class K liquor licenses modified: *SB 4348, CH 71
 Conservation futures, certain, exempt ad valorem tax: *SSB 3178, CH 131
 Economic development, cities and counties, public purpose: HB 1445, SSB 3276
 Gambling, member to include national membership: *SB 4300, CH 70
 Gambling revenue increased: SB 3312
 Gifts of real estate, not a sale: HB 1397
 Higher education, nonprofit educational corporations: SHB 1197
 Shelters, homeless persons, exempt from taxation: SB 3438

NOTARY PUBLIC

Revisions of law: HB 1455

NUCLEAR WEAPONS

Nuclear attack emergency evacuation plan not mandatory: SHB 1265
 Nuclear attack, plan, political subdivisions optional: HB 1129
 Nuclear weapons industry conversion to peaceful usage: HB 1601

NURSERY SCHOOLS

School districts may equip: HB 1276

NURSES

Disciplinary procedure consolidation: *SHB 1178, CH 279
 Drug misuse and abuse educational programs: HB 1663
 Higher education employees, prohibiting exemptions: HB 1317
 Reports of abused dependent adults: *HB 1328, CH 97

NURSING HOMES

Abuse, restraining order by local prosecutor: SHB 346
 Cost reimbursement, energy retrofit: SHB 1341
 Disciplinary procedures health care professions: *SHB 1178, CH 279
 Patients, preadmission screening, alternative care: HB 1518
 Pets, may live in or visit facilities: *SB 3059, CH 127
 Quality patient care, rules and enforcement procedures: HB 1349
 Self-insurance groups, authorized: HB 1370

OFFICE OF FINANCIAL MANAGEMENT

Comprehensive state budgeting, system required: HB 1330, *SB 4504, CH 247
 Consultant contract use rule adoption: HB 1331
 Drunk driving cost impact: *SHB 1582, CH 110
 Drunk driving deterrence and victims compensation account: HB 1701
 Economic and revenue forecast council created: *SHB 1083, CH 138
 Estimated revenues defined: HB 1283
 Funds, dedicated or reserved, review: HB 1383
 Life-cycle cost, expand beyond energy analysis: HB 1109
 Prisons, alternatives to total confinement, study: *SB 4798, CH 246
 Senior executive skills, program to use: HB 1410
 State facilities emergency account created: HB 1208
 Teacher salary survey, use in 1985 budget: HB 1532

OIL AND GAS

Alternative fuels, reflective placards: *HB 1427, CH 145
 Energy account created, petroleum overcharges: HB 1524
 Mineral interests, procedures, claims: *SSB 4443, CH 252
 Motor vehicle fuel alcohol, label: *SHB 1668, CH 61
 Oil and gas procedures: SHB 500
 Oil and gas severance and conservation act: 2SSB 3187
 Severance and conservation act, 1984: HB 1350

OLYMPIC COUNTY

Created, subject to voter approval: SB 3264

OREGON

Income tax changes, AG to challenge: *HCR 40, *SCR 147
 Nonresidents, county tax, employed in county: *HB 1509, CH 248
 Oregon tax situation, AG called upon to challenge: HFR 121

OSTEOPATHIC MEDICINE

Compact-authorized programs, select students: SHB 1181
 Disciplinary procedure consolidation: *SHB 1178, CH 279

PARKS AND RECREATION

Acquisition and management policy: SSB 4666, *SHB 1227, CH 82

PARKS AND RECREATION—cont.

Aquatic land recreation, grants: *2SHB 1231, CH 221
 Athletic health care and training council created: *SSB 4484, CH 286
 Boating safety act money use for marine-oriented facilities: HB 1683
 Boating safety provisions revised: *SSB 4578, CH 183
 Disability pass, disabled parking permit serves as pass: SHB 1702
 DNR and Parks and Recreation, examine exchange of property: HFR 185
 Fees for day use: HB 1148
 Fees, senior citizen \$50 pass: HB 1155
 Milwaukee Road, DNR authority: SSB 4251, *SSB 4329, CH 174
 Milwaukee Road, lease by adjoining owners: HB 1111
 Milwaukee Road, recreation trail: SHB 1172
 Parkland acquisition account established: *SSB 4775, CH 87
 Recreational needs, joint committee to formulate legislation: HCR 43
 West Hylebos creek wetlands conservation area established: HB 1679
 Winter recreation advisory committee, travel expenses: HB 1345

PASCO

Centennial, 100 years proud: *HFR 140
 Consolidation of Pasco, Kennewick, Richland: *SHB 1435, CH 8

PAWNBROKERS AND SECOND-HAND DEALERS

Pawn brokers regulated: SSB 4090
 Regulations revised: *SSB 4274, CH 10
 Stolen property received by pawnbrokers or second-hand dealers: *SSB 4274, CH 10

PENSIONS

Budget document and appropriation bill: HB 1273
 City retirement, may transfer to public system: *SHB 843, CH 184
 Contributions, restoration: HB 1340
 Convention and trade center, exempt: *SHB 1279, CH 210
 Deferred compensation, state employees: *SSB 3926, CH 242
 Disability compensation, adjusted price indexes: HB 1358
 Higher education, supplemental retirement benefits: HB 1347
 Higher education, supplemental retirement fund: HB 1368
 Incapacitated, restoration of pension credit lost: SSB 3287
 Judicial retirement system, joint interim committee: SCR 150
 PERS, labor union employees included: HB 1552
 PERS membership, may not exclude volunteer firemen's fund status: *SB 4731, CH 121
 Public retirement, employer may pay all contributions: HB 1692, *SSB 4477, CH 227
 Public retirement, joint interim committee: SCR 134
 Retirement study commission act enacted: HB 1173
 Revenue accrual account modified: HB 1206
 Revenue accrual account money transferred to retire contribution obligations: SHB 1653
 School employees, tax deferred annuities: *SB 4500, CH 228
 State patrol, survivor's benefits: *SHB 271, CH 206
 Teacher retirement, contributions to defray cost: *SB 4275, CH 236
 Teacher retirement, educational staff associates: *HB 1304, CH 256
 Teachers retirement, out-of-state service credit: HB 1599
 Teachers retirement, part-time, calculation of benefits: HB 1122
 Teachers retirement, part-time: *HB 1254, CH 5

PERSONAL PROPERTY (See also TAXES - PERSONAL PROPERTY)

Assessments, average levels used in equalizing: HB 1209
 Automobiles, abandoned junk: SHB 1136
 Inhalation therapy systems, sales and use exempt: SB 4412
 Lease, tax excluded from price for sales tax: HB 1411
 Leased, sales taxation modified: HB 1240
 Lienholders to be listed for tax purposes: HB 1357
 Overinsurance requirement prohibited: *HB 1423, CH 6

PERSONNEL, DEPARTMENT OF

Board, duties transferred to employment commission: HB 1553
 Child care demonstration project, state employees: *SHB 1655, CH 162
 Convention and trade center, civil service exemption: *SHB 1279, CH 210
 Correction employees injured, assault on job, paid leave: HB 593, *HB 1378, CH 284, *SB 4798,
 CH 246
 Employee exchange agreements, public/public, private/public: HB 1253
 Minimum wage, state to be equivalent with federal: HB 1576
 Productivity board suggestion award winners: *HFR 111
 Skills directory of state personnel to be kept: HB 1308
 Teacher salary survey, use in 1985 budget: HB 1532

PERSONNEL, DEPARTMENT OF—cont.

Vacation leave, employment terminated: *SHB 843, CH 184
 Veterans' preference in civil service exams revised: HB 1432, HB 1572, *SSB 4620, CH 36

PHARMACISTS (See also DRUGS)

Board duties re licensure modified: *SSB 4302, CH 153
 Controlled substances schedule revised: HB 469
 Drug misuse and abuse educational programs: HB 1663
 Drug use, interdepartmental committee: HB 1440
 Reports of abused dependent adults: *HB 1328, CH 97

PHYSICAL THERAPISTS

Disciplinary procedures, consolidation with various health professions: *SHB 1178, CH 279

PHYSICIANS

Aircraft pilot disabilities, immunity for reporting: SB 4335
 Cancer research, excise tax from cigarettes: SB 3309
 Disciplinary procedures: *SHB 1178, CH 279
 Drug misuse and abuse educational programs: HB 1663
 Medical student loan forgiveness: SHB 1566
 Naturopathic physicians, draw blood and give injections: HB 1612
 Opticians, dispensing, apprentices, modifications: HB 1623
 Optometrists, disciplinary procedure: *SHB 1178, CH 279
 Reports of abused dependent adults: *HB 1328, CH 97

PIERCE COUNTY

West Hylebos creek wetlands conservation area established: HB 1679

PLANNING AND COMMUNITY AFFAIRS AGENCY

Economic stabilization task force, plant closures, layoffs: SSB 4709
 Name changed to department of community development: HB 1327, *SSB 3238, CH 125
 Public works loans to local entities: *SSB 4404, CH 244

POLLUTION

Acid rain, study: HB 1264, *2SHB 1174, CH 277
 Noise, aircraft noise abate programs: *HB 1319, CH 193
 Off-road vehicles, certain, noise and fire exemption: HB 1222
 Pesticide application act, violations, penalties imposed: HB 1570
 Tax credits for facilities, modifications: *SHB 1118, CH 42

PORNOGRAPHY

Child pornography: *SB 4309, CH 262
 Children, sexual exploitation: HB 1112, HB 1244, *SB 4309, CH 262

PORT DISTRICTS

Explosives, weight and numbers, no restrictions: HB 1639
 Export projects sponsored by the port: SHB 1204
 Fire protection, contract with cities: HB 1404
 International trade development advisory council created: SHB 1193, *SSB 4494, CH 151
 Real property sales by negotiation allowed: *SB 4401, CH 195
 Tourism activities authorized: *SHB 1511, CH 122

PRISON TERMS AND PAROLE (See also CORRECTIONS)

Criminal insane, conditional release includes monitoring treatment: HB 1382
 Criminal sentencing revised: HB 1247, *SHB 1247, CH 209
 Furloughs, release, escape, 30 days notice to victims, witness, law: SHB 307
 Inmate classification, convict statements available upon incarceration: HB 1216, *SB 4352, CH 114
 Institutional industries, commodities, potential, review: HB 1467
 Jail, parole hold, financial responsibility of county or city: *2SSB 3815, CH 235
 Juveniles, remove from adult jails: HB 1514
 Juveniles, special circumstances for confinement: *SHB 1514, CH 272
 Probation, conditions: *HB 1166, CH 46
 Report to legislature, impact of sentencing guidelines and pre-7/1/84 crimes: HB 1501
 Restitution a condition to sentence suspension: SHB 711
 Sentencing alternatives: *SHB 1247, CH 209
 Sentencing guidelines commission to adopt guidelines for the reduction of inmate populations: *SB 4798, CH 246
 Sentencing guidelines commissions, due recognition to meritorious service: *HFR 154
 Victim impact statement: HB 711, SHB 711

PSYCHOLOGISTS

Disciplinary procedures: *SHB 1178, CH 279
 Examining board of psychologists created: SSB 4449
 Reports of abused dependent adults: *HB 1328, CH 97

PUBLIC ASSISTANCE (See also MEDICAL ASSISTANCE)

AFDC, money and eligibility not tied to biennial appropriation: HB 1519
 Chore services, volunteer program established: HB 1214
 Employment study for those on public assistance: HFR 175
 Hospitals, low-income patients have preference: HB 791
 Income assistance, medical and mental eligibility criteria: HB 1642
 Low-income citizens, reduced utility rates: HB 1631
 Low-income community college students, fee waiver: SB 4394, *SHB 1334, CH 50
 Low-income customers, voluntary contributions: *HB 1361, CH 59
 Nursing home patients, preadmission screening: HB 1518
 Study, public policy needs of low-income parents: HFR 164
 Utility rate reduction, low-income: SB 4347
 Utility rates, low-income, WUTC to adopt rules: SHB 550
 Veteran benefits, qualifying class expanded: HB 1258
 Violators, DSHS may bring to trial: HB 1448
 Work incentive program demonstration project proposal: HB 1589, SHB 1589

PUBLIC BROADCASTING COMMISSION

Policy, growth and program diversity: 2SSB 3768

PUBLIC DISCLOSURE (See also CAMPAIGNS; ELECTIONS)

Contributions, financial affairs statement: HB 1610
 County campaigns of less than 5,000 voters, financing: HB 1132
 Driver license records, access restricted: SHB 1624
 Energy facility site evaluation council chairman: SSB 3259
 Financial disclosure, elected officials and executive state officers: HB 1245, *SB 4312, CH 34
 Financial reporting, small districts exempt, when voided: HB 1242
 Fund raising, during legislative sessions regulated: HB 152
 Fund raising prohibited during session: HB 247
 Hazardous wastes, records of handlers: SHB 669
 Industrial insurance, claimants may review own file: HB 1619
 Lobbying with public funds prohibited, limitation modified: HB 1152
 Political advertising, identification: *HB 1133, CH 216
 Public disclosure requirements and ethics committee to study: *HFR 163
 Records, personal and research, access procedures: HB 342, SHB 342
 Records, use of lists for profit prohibited: HB 1674
 Voter pamphlet, mailing addresses and telephone numbers: *SHB 699, CH 54

PUBLIC TRANSPORTATION (See also ROADS AND HIGHWAYS)

Conduct on buses: SHB 538, *SSB 3849, CH 167
 Excursion service companies regulated: *SSB 3758, CH 166
 Sales and use tax authority equalized: *SB 3834, CH 112
 School buses, axle requirements: *SHB 1017, CH 104

PUBLIC WORKS

Liens, contracts to protect owner, FHA condition: *HB 217, CH 146
 Loans to local entities, planning and community affairs: *SSB 4404, CH 244
 Public improvements, indebtedness payments: HJR 45

PUGET SOUND

Bottom trawling in parts of Puget Sound prohibited: SHB 1165
 U.S. Navy Carrier Battle Group, support: *HFR 109

RADIO

Election results, early dissemination prohibited: HB 1226

RAILROADS

Crossings, reflectorized whistle post: HB 96
 Milwaukee Road, lease by adjoining owners: HB 1111
 Milwaukee Road, parks and recreation authority: SHB 1172, *SSB 4329, CH 174
 Railroad properties, public utilities and transportation corridors: HB 1703, *HB 1413, CH 143
 Taxation and assessment, report due date: *SB 3262, CH 132

REAL PROPERTY (See also SECURITY INTERESTS)

Abstract, title, escrow, excise tax: HB 1198
 Apartment, condominium sales, notice procedures: HB 860
 Burglary, land devoted to livestock, commodities: *SHB 1302, CH 49
 Child support obligations, liens on homestead: SSB 4373, *SHB 1627, CH 260
 Community property considerations prohibited: HB 1478
 Condemnation, attorney fees and interest: *SB 3128, CH 129
 Conservation futures, certain exempt, ad valorem taxation: *SSB 3178, CH 131
 Conveyances, regulated by protection form: HB 1220
 Current use assessment, owner-occupied residence: HB 1290
 Current use assessment, timber land: *SSB 3504, CH 111

REAL PROPERTY—cont.

Current use valuation, additional tax upon reclassification: SB 3099
 Current use valuation for single family residences: HJR 46
 Disclosure, real estate licensed buyer, commission: HB 1324
 Eminent domain judgments, interest rate increased: HB 1366
 Execution and redemption: *SSB 4111, CH 276
 Executory contracts, recording: *SB 4371, CH 73
 Foreclosures, notice: *SSB 4489, CH 179
 Gifts of real estate, not a sale: HB 1397
 Homestead appraisers, modifications: *SB 4491, CH 118
 Houseboats, real estate excise tax imposed: HB 1275
 Irrigation assessments, notification of delinquency: HB 1502
 Land development representatives, deregulating: HB 1280
 Mortgage loan rights act: HB 1617
 Mortgages, mortgagee fails to release mortgage: *SB 3132, CH 14
 New construction, increased value of reforestation lands: SHB 1429, *SB 4421, CH 204
 Real estate commissions regulated: HB 1322
 Water unpotable, buyer protection: HB 1241, SHB 1241

REFERENDUMS

Federal reserve system, AG to challenge, submit to voters: SSB 4778

REFUGEES

Tuition and fee waiver, higher education: *SB 3044, CH 232

RENT AND RENTALS

Apartment sales, notice procedures: HB 860
 Mobile home landlord and tenants, rights and duties modified: HB 1117, SB 4316, *SHB 1270,
 CH 58
 Personal property, tax excluded from price for sales tax: HB 1411
 Rent due, deposits of tenant: HB 1682
 Uninhabitable dwellings, enforcement procedures: *HB 939, CH 213

REVENUE, DEPARTMENT OF

Appropriation legislation, need affirmative votes of minority party: HJR 50
 Appropriations, tax and expenditure limitations: HB 1670
 Budget stabilization account appropriation use modified: HB 1658
 Economic and revenue forecast council created: *SHB 1083, CH 138
 Economic forecast to be prepared: HB 1283
 Equalization fund distribution to cities and towns: *SB 4376, CH 225
 Expenditures, state, establishing limitations: HB 1443
 Forest lands classified: *SB 4421, CH 204
 Investment tax credits, seed capital: SHB 1691
 Oil and gas severance and conservation act, 1984: HB 1350
 Personal property assessments, average assessment levels to equalize: HB 1209
 Revenue accrual account modified: HB 1206
 Savings bond act adopted, nontax source of revenue: HB 1646
 State expenditures, establishing limitations: HB 1443
 Stumpage value, determination of: HB 1391, HB 1468, *SB 4421, CH 204
 Supplemental 1984 capital budget adopted: *SHB 1157, CH 182
 Supplemental 1984 operating budget adopted: *SHB 1156, CH 285
 Supplemental 1984 transportation budget adopted: *SHB 1200, CH 2

RICHLAND

Consolidation of Pasco, Kennewick, Richland: *SHB 1435, CH 8

RIVERS AND STREAMS (See also individual systems)

Cooperative wetland and riparian habitat conservation act: HB 1141
 Nisqually river system management plan: HB 1250
 Treaty authorized, Canada, PUD's, cities: *SHB 1778, CH 1
 West Hylebos creek wetlands conservation area established: HB 1679

ROADS AND HIGHWAYS (See also PUBLIC WORKS)

County road engineers, part-time allowed in 7th class: *SSB 4287, CH 11
 County road improvement district formation alternative: HB 911
 County roads, improved, adjacent to water, vacation: HB 1167
 Fire trucks, licensing for excess weight permitted: HB 1486
 Foreign truckers, proof of ability to respond in damages: HB 1630
 Grant county arterial highway construction: SSB 4055
 High occupancy vehicle lanes, preferential treatment, reduce pollution: HB 1496
 Irrigation districts may provide street lighting: *SSB 3868, CH 168
 Model traffic ordinance updated: *HB 1530, CH 108
 SR 500 designated as Henry M. Jackson Parkway: *HFR 127

ROADS AND HIGHWAYS—cont.

State route 100 established, Skokomish river to SR 106: HB 1168
 State route 101, appropriating moneys for construction: HB 1708, HB 1709
 State route 102, Corrections Center to Shelton: *SB 4532, CH 197
 State route 102 established, corrections center to SR 101: HB 1168
 State route 108 modified, Old Kamilche road to SR 101: HB 1168
 State route 310 established, Victor Cutoff to SR 302: HB 1168
 State route 540, Haxton Way to I-5: HB 1489, *SB 4532, CH 197
 State route 547, Kendall to Sumas: HB 1489, *SB 4532, CH 197
 State route 823 established, Selah: HB 1186, HB 1489, *SB 4532, CH 197
 Studded tires outlawed: HB 1116
 Training work, state forces limitation does not apply: SSB 4343
 Two-way left turn lanes, clarifications: *SB 4289, CH 12

SAFETY

Boating safety act money, marine-oriented facilities: HB 1683
 Boating safety provisions revised: *SSB 4578, CH 183
 Cigarettes, self-extinguishing mandated: HB 1550
 CPR training for students required: HB 1278
 Hazardous substances, employer duties: 2SHB 863, *2SSB 4831, CH 289
 Hot water heater thermostat setback: SSB 3277
 Hunter orange may be required: HB 1158
 Nuclear attack, evacuation plan by political subdivisions optional: HB 1129
 Private carriers regulated for safety: HB 1465
 ReflectORIZED warning devices on disabled cars: HB 1477, *SB 4527, CH 119
 Safety and loss control program, L&I to administer: HB 1628
 Seat belts required for driver education drivers: HB 1211
 Seat belts required to be used in motor vehicles: HB 1693
 Self-extinguishing cigarettes mandated: HB 1550
 Smoking in public areas restricted: SHB 229
 Smoking pollution control act: SHB 1464
 Steam engineers and boiler firepersons: HB 1388
 Studded tires outlawed: HB 1116

SALES (See also TAXES - SALES)

Automatic dialing devices, use conditions: SHB 1234
 Boats, protect design from duplication and sale: HB 1513
 Executory contracts, recording: *SB 4371, CH 73
 Gifts of real estate from natural persons to natural persons, not a sale: HB 1397
 Meat, in bulk or gross, retail sale information: HB 1420
 Motor vehicle fuel containing alcohol, label dispensing device: *SHB 1668, CH 61
 Organically grown food, standards: HB 1232
 Pawnbrokers and second-hand dealers, revised: *SSB 4274, CH 10
 Peddlers, meat, eels, shellfish, etc., cities may license: *2SHB 713, CH 25
 Real estate commissions regulated: HB 1322
 Real estate conveyances consumer protection without cost act: HB 1220
 Real estate, selling price redefined: HB 1397
 Real property, protection if water unpotable: HB 1241, SHB 1241
 Telephone buyers protection act: SHB 1235, HB 1431, *SSB 4560, CH 275
 Vendors, penalties increased for not having a license: HB 1150
 Walla Walla sweets, packaging, marketing, sale regulated: HB 1512
 Wine, beer product information, retail premises: *SB 4445, CH 196

SAVINGS BOND

Washington state savings bond act adopted: HB 1646

SCHOOLS AND SCHOOL DISTRICTS

Administrators, evaluation procedures revised: HB 1310
 Administrators training academy: SSB 4576
 Administrators, transfer, procedure: HB 1660
 Advisory council on public education: HB 876
 Alcohol and drug abuse education: SB 4237
 Alcohol awareness program funded by penalty assessments: 2SSB 3617
 Alcohol, drug abuse, traffic safety programs: HB 1701
 ASB program fund, clarifying use and character of money: HB 1460
 ASB program fund, donations, use: *SHB 1400, CH 98
 Assessment program, 8th and 10th grade: SSB 4512
 Athletic health care and training council created: *SSB 4484, CH 286
 Attendance through the age of 17 required: HB 1578
 Attendance to schools close to home, repealed: HB 145
 Basic education programs provided: HB 1286
 Basic education skills: *SHB 1246, CH 278

SCHOOLS AND SCHOOL DISTRICTS—cont.

Bilingual, supplementary enrichment instruction programs: HB 1354
 Blind and deaf, education responsibilities modified: SHB 1238
 Board determines when school year begins: HB 1672
 Bonds authorized for plant facilities: *SHB 1268, CH 266
 Bonds for maintenance and repair of school plant facilities: HB 1689
 Building-based management pilot projects: HB 1243, SSB 4395
 Buses, axle requirements: *SHB 1017, CH 104
 Certificated nonrenewal of contract for 2 years: HB 1236, HB 1293
 Certification, competency tests as prerequisites: HB 1312
 Certified employees, evaluation procedures revised: HB 1310
 Clearinghouse on education information: SB 4410
 Closures, cost benefit analysis prior to: HB 1695
 Collective bargaining includes teacher excellence plan: SSB 4402
 College readiness task force: HB 1261
 Conflict of interests, contracts, may not enter into: HB 1300
 Continuing education of personnel, rule adoption: HB 1313
 Contract negotiations, time limits: HB 1537
 Contracts, unemployment compensation: *SHB 1439, CH 140
 County auditor, duties revised: SHB 1130, HB 1224, *SSB 3103, CH 128
 CPR training for students required: HB 1278
 Curriculum objectives: HB 1660, SSB 4781
 District administrators, compensation provisions: *SB 4407, CH 245
 District equalized calculation formula: HB 1680, SB 4696
 Driver education, seat belt required by driver: HB 1211
 Drug abuse and misuse prevention: HB 1663
 Drunk driver enforcement impact account: SHB 983
 Educational clinics, LBC duties: HB 1217, SB 4350
 Educational clinics, new screen prior to reimbursement: HB 1591
 Educational staff associates, teachers retirement: *HB 1304, CH 256
 English as a second language: *SHB 1456, CH 124
 Excess levies, K-6 or K-8: HB 1356
 Family life instruction, moral-value laden, optional: HB 1563
 Food purchased for public school lunch programs: SB 3015
 Franklin High School renovation, urged: *HFR 155
 Future Farmers of America recognized: *SCR 143
 General obligation bonds, plant facilities: HB 1182
 Grading policies, daily attendance to be incorporated: HB 1251
 Graduate level professional teacher preparation program: 2SHB 1344
 Handicapped children, age revised: HB 1546
 Handicapped children, preschool education: *SHB 1311, CH 160
 Home education authorized: HB 1337
 Home schooling, joint select committee to review: HCR 41
 Insurance coverage, authorized to obtain through state: HB 1622
 Interschool extracurricular activities: HB 1549
 Leave accumulation lid removed: HB 1559
 Levies, excess, simple majority required: HJR 18
 Levies, excess, 3/5ths majority required: SHB 439
 Levies, excess, 40% validation requirement modified: 2SHJR 29
 Levies, unsuccessful and subsequent successful: HB 1680, SB 4696
 Marianne McCusker, best wishes for academic endeavors: *HFR 157
 Martin Luther King birthday, school holiday: *SHB 69, CH 92
 Math and science, recommended state course of study: SHB 954
 Math and science skills, women and minorities: *SB 4432, CH 265
 Nancy Reagan commended, drug and alcohol abuse education: *HFR 136
 Nursery schools, districts may equip: HB 1276
 Part-time teachers, calculation of retirement benefits: HB 1122
 Part-time teachers, retirement, earnable compensation: *HB 1254, CH 5
 Pension liabilities, budget document to include: HB 1273
 Physical education requirements revised: *HB 1416, CH 52
 Preadmission screening, fees may be collected: HB 1381, HB 1543
 Private school accreditation approval: *SHB 145, CH 40
 Program hour requirements: SSB 4395
 Project 2001, congratulated: *HFR 123
 Provisional employees, contract nonrenewal: SHB 1293
 Public employee retirement study commission act enacted: HB 1173
 Public lands, purchase of authorized: HB 1403
 Reports of abused dependent adults: *HB 1328, CH 97; SB 3060
 Retirement, excess compensation: *SHB 843, CH 184
 Salary and compensation increases of district employees, monitor: HB 1690

SCHOOLS AND SCHOOL DISTRICTS—cont.

Sale of district property, appraisal by professionally designated real estate appraiser: *SHB 1666, CH 103
 Scholars, tuition and fee waiver: SHB 1228, HB 1261, SSB 4781, *SHB 1246, CH 278
 Secondary school recognition program, schools commended: *HFR 161
 Self-study procedures applied to quality and appropriateness of educational programs: SSB 4395
 Sex education, moral-value laden, optional: HB 1563
 Sick leave, accumulated, certain provisions removed: HB 145
 Staff development courses, college credits to be equated for salary schedule: SHB 1660, 2SHB 1660
 Staff development plan: HB 1313
 Staff development plan for certificated employees: SHB 1660, 2SHB 1660
 Staff excellence incentives: SHB 1660, 2SHB 1660
 Staff training plans, credit criteria: HB 1261
 Standardized state-wide high school test, measure acquisition of competency skills: HB 1660
 State-wide basic skills test: HB 1286
 Student learning objectives program revised: HB 1479
 Student teachers, supervision pilot program: SHB 1344, 2SHB 1344, HB 1480
 Supplemental school district equalization appropriations, qualifications: HB 1681
 Tax deferral benefits: *SSB 4477, CH 277
 Tax deferred annuities for school employees: *SB 4500, CH 228
 Teacher education, reimbursement for college classes: SHB 1016
 Teacher excellence award programs: HB 1261, SSB 4576
 Teacher excellence programs authorized: SSB 4402
 Teacher licensing study: HB 1560
 Teacher salary survey, use in 1985 budget: HB 1532
 Teachers retirement, contributions to defray cost: *SB 4275, CH 236
 Teachers retirement: HB 1692, *SSB 4477, CH 227
 Teachers retirement, out-of-state service credit: HB 1599
 Teachers retirement, part-time: HB 1122, *HB 1252, CH 5
 Teachers retirement, teacher definition expanded: *HB 1304, CH 256
 Testing, standardized state-wide system: HB 1277
 Transcripts, standardized: *SB 4415, CH 178
 Vocational excellence award program: HB 1613, *SHB 1613, CH 267
 Washington life skills test: *SHB 1246, CH 278
 WIAA, interschool activities, examine: *HFR 160

SEATTLE

Air Canada silver broom 1986 hosts: *HFR 106
 Convention and trade center site approval: HB 1387
 Treaty authorized, Canada, recreation and environmental protection: *SHB 1778, CH 1

SECRETARY OF STATE (See also ELECTIONS)

Elections, state to pay a prorated share of cost: HB 1520
 Message, appointment of member, Pat Luven p. 2
 Message, appointment of member, Steve Van Luven p. 2
 Message, canvass of election pp. 1 - 2
 Polling places, clerical error correction: *SB 4469, CH 35
 Seal of the state of Washington, unauthorized uses: SHB 551
 State flags, send to overseas armed forces personnel: HB 1705
 Trade names, regulated: *2SSB 3158, CH 130
 Vietnam war, dead or missing honored: *SHB 1266, CH 81
 Voter registration in state offices: *SHB 1548, CH 211
 Voter registration, special absentee ballots: HB 1551

SECURITY INTERESTS

Agricultural commodities, lien foreclosure: HB 1604
 Architectural design or structural analysis, liens: HB 1274
 Auctioneers, license requirements: *HB 1218, CH 189
 Child support obligations, liens: *SHB 1627, CH 260, SSB 4373
 Claims against the state, bond requirement removed: SB 4426
 Crops, priority established: SHB 543
 Execution and redemption, personal, real property: *SSB 4111, CH 276
 Judgment lien, 10 year period: *SSB 4357, CH 21
 Landlord tenant relationship: HB 1561
 Pawnbrokers and second-hand dealers, revised: *SSB 4274, CH 10
 Personal property lienholders to be listed for tax purposes: HB 1357
 Public works contracts, lien: *HB 217, CH 146
 Warehouseman and grain dealer commodities, liens: HB 1645
 Wine, bonded wine warehouse license: *SSB 4503, CH 19

SEWER DISTRICTS

Boundaries within city excluded from district: HB 1346
 City systems, hookup, interest charges: HB 1392
 Commissioner compensation modified: HB 1338
 Electric generation by municipal corporations: SHB 710
 Grants or loans, sanitary sewerage facilities: HB 1171
 Hook up fees, property owners equitable share: SHB 79
 Personal property sales under \$500, no notice: *SB 4301, CH 172
 Sale of district property, professional appraiser: *SHB 1666, CH 103
 Sanitary sewerage facilities, grant or loan conditions: HB 1171
 Transfer from county to municipal corporation: *SHB 1127, CH 147

SHELTERS - WORKSHOPS AND HOUSING

Tax exempt, personal and real property: SB 3438

SHORELINE MANAGEMENT

Master program procedures modified: HB 486, SHB 486, SHB 685

SMOKING

Cigarettes, excise tax proceeds to DSHS for research: SB 3309
 Juror segregation in nonsmoking areas: HB 1323
 Smoking in public areas restricted: SHB 229
 Smoking pollution control act: SHB 1464

SPEAKER'S RULINGS

Amendment out of order; beyond scope and
 object pp. 243,419,487,609,611,616,617,618,818
 Fiscal note must be in books if available p. 408
 Joint rules settle disputes p. 1270
 Senate's second request for House to adopt Free Conference Report;
 therefore in order p. 1331

SPEAKER'S RULINGS (MR. HECK PRESIDING)

Amendment out of order; beyond scope and object p. 825
 Bills with direct negative impact or appropriation of \$50,000
 or more must be referred to Ways & Means Committee p. 462
 House will revert to super majority rule as soon as three days
 preceding cutoff have elapsed p. 464
 Motion to reconsider out of order; similar motion failed p. 1204
 Objection to amendment out of order; not timely p. 1204
 Special order of business includes amendatory process,
 reconsideration or other action pertaining to bill p. 464

SPEAKER'S RULINGS (MR. O'BRIEN PRESIDING)

Amendment in order; pertains to date of act and
 emergency section p. 544
 Amendment out of order; beyond scope and object p. 762
 Amendment; question of merit to be determined by body p. 382
 Bills reported out of committee must be referred to Committee on Rules p. 349
 Committee report in order; signed by majority p. 348
 Member may not use point or order unless dissatisfied or objecting
 to business of House p. 349
 Motion to consider bill requires suspension of rules p. 471
 Motion to relieve committee of bill does not open subject to debate p. 525

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF (See also MEDICAL ASSISTANCE;**PUBLIC ASSISTANCE)**

Abuse of hospital and nursing home patients: SHB 346
 Advisory committee, membership guidelines: HB 1611, *SSB 4647, CH 259
 Birth defects, information and surveillance: *SHB 1105, CH 156
 Blind changed to visually impaired: SHB 1238
 Capital improvements, general obligation bonds: *HB 1194, CH 269
 Child abuse and neglect council, sunset termination modified: *SSB 4653, CH 261
 Child abuse and neglect, investigate social service agencies: HB 1605, SHB 1605
 Child protective services, joint select committee created: SB 4639
 Child support, collection of, DSHS limited to 10% per month: HB 1320, HB 1562, SSB 4303, SB
 4651, *SHB 1627, CH 260
 Child support enforcement act: HB 1510
 Children and family services act, cost: *SSB 4814, CH 180
 Custody, interference with is a gross misdemeanor: SSB 3387
 Dependent adults, reports of abuse: *HB 1328, CH 97
 Disabled adults, respite care demonstration project: HB 1271, *2SHB 1137, CH 158, HB 1271
 Drug abusers, civil commitment procedures, examine need for: HB 1663

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.

Drug use, interdepartmental committee: HB 1440
 Economic stabilization task force, plant closures, layoffs: SSB 4709
 Fishing permits for groups of facility residents: *SB 3379, CH 33
 Health duties: SHB 509
 High blood pressure pilot program: HB 1609
 Institutions, costs, determining: SHB 1635, *SSB 4708, CH 200
 Juvenile rehabilitation, children and family services department: SHB 1212
 Prisons, alternatives to total confinement, study: *SB 4798, CH 246
 Public assistance violators, may bring to trial: HB 1448
 Public water supply systems, shut down hazardous: SHB 1365
 Records, personal and research, access procedures: SHB 342
 Residential placement, efforts to reunify family: SB 4637, *HB 1526, CH 188
 Revenue accrual account, money transferred: SHB 1653
 Smoking in public areas restricted: SHB 229
 Support enforcement laws revised: SSB 4373
 Vital statistics, charge reduced for additional copies: HB 1301
 Water quality tests, public supply systems: *SHB 1191, CH 187
 Water supplies, public, access restrictions authorized: SHB 1584
 Water systems, emergency authority to suspend or operate: HB 1298
 Work incentive demonstration project proposal: SHB 1589
 Voter registration services available in state offices: HB 1548, *SHB 1548, CH 211
 Wildlife department, game department name changed: HB 1154

STATE BUILDING CODE

Building inspector certification: HB 1571
 Commercial and residential buildings, efficient thermal and lighting standards: HB 2
 Energy code, 1980 edition referenced: HB 1303
 Energy efficiency, commercial and residential thermal and lighting standards: HB 2
 Local governments precluded from adopting more stringent codes: HB 1685
 Model conservation standards for new structures: SHB 162
 Uniform standards brought up to date: *HB 596, CH 101
 Updating state building code: HB 1685

STATE FIRE MARSHAL

Alternative fuels, vehicles to bear reflective placards: *HB 1427, CH 145
 Fire extinguishers regulated: HB 1516
 Fireworks, regulation, uniform enforcement: SHB 1176, *SHB 1652, CH 249
 Fireworks regulations, restrictive, notice: HB 1161
 Fireworks rules to insure uniform enforcement: HB 1615
 Motor vehicles, alternative fuel, reflective placards: *HB 1427, CH 145

STATE INVESTMENT BOARD

Deferred compensation revolving fund, board may invest: *SSB 3926, CH 242

STATE LOTTERY (See GAMBLING)**STATE PATROL**

Alcohol, drug abuse, traffic safety programs in schools: HB 1701
 Corporal, establishing rank: HB 156
 Criminal justice information act: SHB 1230, *SSB 4380, CH 17
 Discipline procedures modified: *HB 1248, CH 141
 Drug use, interdepartmental committee: HB 1440
 Drunk driver enforcement impact account: SHB 983
 Motor vehicle driving record duties: *HB 1409, CH 99
 Retirement, employer pay contributions: HB 1692, *SSB 4477, CH 227
 Retirement, excess compensation: *SHB 843, CH 184
 Retirement study commission act enacted: HB 1173
 Retirement, survivor's benefits: *SHB 271, CH 206
 Traffic safety education officers: *SHB 552, CH 217

STATE TREASURER (See also FUNDS)

Check, drafts, and warrant cashing policy: *SB 4388, CH 74
 Distribution, sales tax to counties and cities: HB 1202
 Fines, collection and distribution procedures: SHB 1183
 Investment board, appoint designee: HB 1396

SUPERINTENDENT OF PUBLIC INSTRUCTION

ASB program fund, clarifying use and character of money: HB 1460
 Clearinghouse on education information: SB 4410, SSB 4395
 County auditor, duties revised: SHB 1130, HB 1224, *SSB 3103, CH 128
 Drug use, interdepartmental committee: HB 1440
 Education special needs act of 1984: HB 1286

SUPERINTENDENT OF PUBLIC INSTRUCTION—cont.

Educational clinics, new screen prior to reimbursement: HB 1591
 Educational research center, university campus: HB 1243, SSB 4395
 Learning objectives, timeline: *SHB 1246, CH 278
 Physical education requirements revised: *HB 1416, CH 52
 Remediation assistance program revised: SHB 1449
 Research, clearinghouse on education information: SB 4410, SSB 4395
 Salary and compensation increases of district employees: HB 1690
 State-wide testing program: HB 1277
 Student learning objectives program revised: HB 1479
 Superior students division abolished: SSB 4576
 Transitional bilingual instruction act: *SHB 1456, CH 124
 Transitional bilingual instruction budget request: HB 1354

SUPREME COURT

Administrator for the courts, salary modified: HB 1145
 Administrator for the courts, salary set by supreme court: *SB 3376, CH 20
 Court improvement act of 1984: *SSB 4430, CH 258
 Redistricting commission membership: *SB 4304, CH 13

SUSAN B. ANTHONY

Susan B. Anthony day in Washington state, 2/15/84: *HFR 122

TACOMA

Air Canada silver broom 1986 hosts: *HFR 106
 Pacific Northwest world trade council commended for exposition: *HFR 125
 West Hylebos creek wetlands conservation area established: HB 1679

TASK FORCES

Agriculture market development established: *SSB 4423, CH 90
 College readiness task force: HB 1261
 Economic stabilization, plant closures, layoffs: SSB 4709
 Special international trade information established: SHB 1193, SCR 154, *SSB 4494, CH 151
 STOP-DUILD task force to be created in counties: HB 1421

TAX APPEALS

Jurisdiction of board modified: HB 1199

TAXES - B&O

Artistic or cultural organizations: HB 1656, SSB 4525
 Border counties, motor vehicle fuels: SB 4457
 Border counties, reduced to 30%: HB 1594
 Border tax differential eliminated: HB 1696
 Broker-dealer, 1% gross income business tax: SSB 4069
 Coin-operated devices, tax modified: *SB 4286, CH 135
 Defense industry tax levied: HB 1601
 Gambling, coin-operated devices, modified: *SB 4286, CH 135
 Local ordinances, referendum procedure, 90 days to petition: HB 1590
 Meat, slaughtering, processing, breaking, rate lowered: SB 3929, SB 4409
 Nuclear weapons industry levied: HB 1601

TAXES - EXCISE

Boat tax imposed: *SHB 255, CH 250
 Counties, additional taxes in unincorporated areas: HB 1335
 Counties, cities, towns, personal property: HB 1614
 Escrow business, not retail sale when done by attorney: HB 1198
 Exemption, free hospitals: HB 1221
 Hearing aids exempt: HB 1329
 Hospitals, free, sales and use exemption: HB 1221
 Hotel excise tax, convention/trade centers repealed: HB 1321, *SB 4358, CH 115
 Houseboats, used, real estate excise tax: *SHB 1275, CH 192
 Leasehold excise tax, remittance procedure modified: HB 1602
 Nonresidents, county tax authorized: *HB 1509, CH 248
 Oil and gas severance and conservation act, 1984: HB 1350
 Oil and gas severance tax: 2SSB 3187
 Printing plates, certain exempt: HB 1573
 Purchase contracts by local governments: HB 574
 Real property sales, 1/10 of 1% of the selling price: HB 1203
 Retail sale defined, abstract, title, escrow: HB 1198

TAXES - FUEL

Aircraft fuel tax abolished: HB 1484
 Border counties, additional tax authority removed: HB 1673
 Border counties, sales tax B&O surtax reduced: SB 4457

TAXES - FUEL—cont.

Car pooling vehicles, tax modified: HB 1500
 Special fuel purchases, interstate use, modified: SB 4463

TAXES - GENERAL

Appropriation, tax measures, approval, minority party: HB 1458
 Appropriations, tax and expenditure limitations: HB 1670
 Drunk driving deterrence and victims compensation account: HB 1701
 Ferries, sale and lease back allowed: *SB 4460, CH 18
 Historical properties, public corporations: HB 1237
 Increases or new, need 60% vote by legislature: HJR 55
 Increases, 60% legislative approval required: HJR 42
 Investment tax credits, seed capital: SHB 1691
 Legislation, need affirmative votes of minority party: HJR 50
 Litter tax assessments, committee recommendations: HB 1426
 Nonresidents, county tax, employed in county: *HB 1509, CH 248
 Pollution tax credits modified: *SHB 1118, CH 42
 Privilege tax, city-owned electric facility, outside county: HB 1498
 Savings bond act adopted, nontax source of revenue: HB 1646
 School district levies, K-6 or K-8: HB 1356
 School district levies, simple majority vote: HJR 18
 School districts, excess elections: SHB 439, SHJR 29
 Taxpayer antitrust enforcement act of 1983: *HJM 34
 Transit systems, cities cannot tax county-owned: HB 1490
 Uniform taxes throughout the state: HJR 56
 Wine, bonded wine warehouse license: *SSB 4503, CH 19

TAXES - INCOME

Oregon income tax, AG, evaluation: *HCR 40, *SCR 147,
 Oregon income tax on Washington residents: *HFR 117
 Oregon tax situation, AG called upon to challenge: HFR 121

TAXES - MOTOR VEHICLE

Prorating excise tax on renewal of a lapsed license: HB 1665

TAXES - PERSONAL PROPERTY

Assessments, average levels, equalizing: HB 1209
 Delinquency procedures: *SSB 3178, CH 130
 Delinquent, four years, may cancel: *SB 3262, CH 132
 Exporting outside of state, exemptions: SHB 1196
 Leased, sales taxation modified: HB 1240
 Lienholders to be listed for tax purposes: HB 1357
 Nonprofit businesses and organizations, exemptions: *HB 1201, CH 220
 Nonprofit organizations, deferrals and exemptions: 2SSB 3267
 Rent, sales taxation modified: HB 1240
 Serial numbers to be listed for tax purposes: HB 1357
 Shelters, homeless persons, exempt from taxation: SB 3438

TAXES - REAL PROPERTY

Automatic payment of taxes: HB 1430
 Current use assessment, single family residence: HB 1290
 Current use valuation, additional tax upon reclassification: SB 3099
 Current use valuation for single family residences: HJR 46
 Deferrals, exemptions, nonprofit organizations, modified: 2SSB 3267
 Delinquencies, notice: *SSB 4489, CH 179
 Delinquency penalties, waived: *HB 706, CH 185
 Equalization board, delinquencies, schedule: *SB 3262, CH 132
 Exemption, wetland or riparian land: HB 1141
 Exemptions and special assessments modified: *HB 1201, CH 220
 Game department in lieu of taxes: *SHB 105, CH 214
 Houseboats, new/used sales tax: *SHB 1275, CH 192
 Irrigation assessments, notification of delinquency: HB 1502
 Leasehold excise tax, remittance procedure modified: HB 1602
 Levies, voter authorization classified, ballot proposition forms: SHB 1353, *SSB 3178, CH 131
 Mortgage loan rights act: HB 1617
 New construction, reforestation lands: SHB 1429, *SB 4421, CH 204
 Payment of taxes in two installments: HB 1325
 Property tax levies general obligation bonds: HJR 48
 Public development authority: *SB 4374, CH 116
 Public improvements, indebtedness payment, tax increases: HJR 45
 Public improvements, indebtedness payment, ad valorem taxes: HJR 52
 Real estate broker, reduced: HB 1594

TAXES - REAL PROPERTY—cont.

Real estate transfer tax redefined: HB 1397
 Sales tax of 1/10 of 1% of the selling price: HB 1203
 Shelters for homeless persons, exempt from taxation: SB 3438

TAXES - SALES

Additional tax, border counties, reduced to 25%: HB 1594
 Administration and collection percentage increased: HB 1202
 Basic cost of cigarettes, computation: *SSB 4325, CH 173
 Border counties, motor vehicle fuels, B&O surtax reduced: SB 4457
 Border counties, shall not impose an additional tax: HB 1568
 Border tax differential eliminated: HB 1696
 Cigarettes, excise tax proceeds for cancer research: SB 3309
 Controlled substance possession, sale or use, tax: SSB 4340
 Counties, additional taxes in unincorporated areas: HB 1335
 Counties, cities, towns, personal property: HB 1614
 Donations, nonprofit public or private higher education institutions: SSB 4576
 Duty free shops on state ferries: SHB 861
 Equalization fund distribution to cities and towns: HB 1379, *SB 4376, CH 225
 Escrow business, not retail sale when done by attorney: HB 1198
 Food tax prohibited: HJR 47
 General fund surpluses, sales tax reductions: HB 1606
 Hearing aids exempt: HB 1329
 Hospitals, free, sales and use exemption: HB 1221
 Houseboats, new/used sales tax: *SHB 1275, CH 192 (11984)
 Inhalation therapy systems, exempt: SB 4412
 Investment projects, sales tax deferrals: HB 1269
 Metal bullion, excluded from use tax: HB 1463, SSB 3385
 Nonresidents, county tax, employed in county: *HB 1509, CH 248
 Postage, sales tax removed: HB 1713
 Printing plates, certain exempt: HB 1573
 Public transportation, sales/use tax equalized: *SB 3834, CH 112
 Real property sales, 1/10 of 1% of the selling price: HB 1203
 Rented or leased personal property, tax excluded from price: HB 1411
 Retail sale, site of, predominant selling activity occurred: SB 4678

TAXES - TIMBER

Current use assessment, timber land: *SSB 3504, CH 111
 Distribution schedule, timber tax distribution: HB 1468
 Excise tax, harvesters, credit for county tax: HB 1471
 Excise tax on harvesters extended: HB 1267
 Exemption threshold for harvesters increased: HB 1189
 Forest fire protection assessments: HB 1102
 Forest land, reforestation land reclassified: SHB 1429
 Forest land valuation, adjusting: HB 1442
 Real estate transfer tax redefined: HB 1397
 Reforestation land, reclassification system: HB 1704
 Small-scale timber harvesters, 40% reduction in tax rates: HB 1424
 Timber tax distribution account: HB 1391, *SB 4421, CH 204

TAXICABS

Regulating taxicab companies: *SSB 3064, CH 126

TECHNOLOGY

High-technology coordinating board: *SB 4351, CH 66
 Math and science, recommended state course of study: SHB 954
 Math and science skills, women, minorities: *SB 4432, CH 265
 Partnership for innovation act: SHB 1691
 Small business innovators' opportunity program: *SB 4773, CH 79

TELECOMMUNICATIONS

Detariffing of certain services: SB 4519
 Presale disclosure about equipment: SHB 1235
 WUTC definition provided: HB 1545

TELEPHONES

Automatic dialing devices, use conditions: SHB 1234
 Customer access line charge, reverse, order refunds: *HFR 115
 Detariffing of certain services: SB 4519
 Mandatory local measured telephone service rates, study: SSB 4667, *SHB 1625, CH 3
 Service access charges, limiting certain: HB 1580
 Telephone buyers' protection act: SHB 1235, HB 1431, *SSB 4560, CH 275
 WUTC definition revised: HB 1545

TELEVISION (See also PUBLIC BROADCASTING COMMISSION)

Election results, early dissemination prohibited: HB 1226

THEATER

Snoqualmie Falls forest theater, saluted: *HFR 142

Wage claim for theatrical enterprises, action: *SSB 4220, CH 89

TOLL-FREE TELEPHONES

Community right-to-know state-wide, hazardous substances: 2SHB 863, 2SSB 4831

Domestic violence, inform victim of availability: HB 1527, *SSB 4541, CH 263

Fisheries violations: HB 1499

Self-insurers, toll-free telephone line by ombudspersons: SHB 1144

Senior citizens toll-free number, pass-accessible parks: HB 1155

TRAFFIC SAFETY COMMISSION

Drug use, interdepartmental committee: HB 1440

Drunk driving deterrence and victims compensation account: HB 1701

TRANSPORTATION, DEPARTMENT OF

Car pooling vehicles, tax modified: HB 1500

Duty free shops on state ferries: SHB 861

Ferries, duty free shops: SHB 861

Ferries, sale and lease, tax purposes allowed: *SB 4460, CH 18

Ferry management, civil service exemptions: *SHB 1210, CH 48

Fire trucks, licensing for excess weight permitted: HB 1486

Forest product storage, transportation, state waters: *SHB 1407, CH 60

Grant county arterial highway construction: SSB 4055

High occupancy vehicle lanes, preferential treatment: HB 1496

Hood Canal Bridge, remove from Puget Sound ferry system: HB 1131

Hood Canal Bridge, rates: SSB 4706

McNeil Island ferry, acquisition and system: *HB 1190, CH 271

Model traffic ordinance updated: *HB 1530, CH 108

Obsolete references corrected: *SHB 1146, CH 7

Pilot liability, provisions modified: HB 1597

Railroad properties corridors: HB 1703, *HB 1413, CH 143

Rest areas, RV sanitary system, fund authority removed: HB 1377

Right of way, notice of short plats, adjacent land: *HB 1192, CH 47

Rural arterial program funding: *SSB 4288, CH 113

Selah, state route 823 established: HB 1186

Star Route 500 designated as Henry M. Jackson Parkway: *HFR 127

State route 100 established, Skokomish river to SR 106: HB 1168

State route 101, moneys for construction: HB 1708, HB 1709

State route 102, Corrections Center to Shelton: HB 1489, *SB 4532, CH 197

State route 102 established, corrections center to SR 101: HB 1168

State route 108 modified, Old Kamilche road to SR 101: HB 1168

State route 310 established, Victor Cutoff to SR 302: HB 1168

State route 540, Haxton Way to I-5: HB 1489, *SB 4532, CH 197

State route 547, Kendall to Sumas: HB 1489, *SB 4532, CH 197

State route 823, Selah to Fasset Avenue: HB 1489, *SB 4532, CH 197

State-wide transportation plan to be long-range: SB 4327

Studded tires outlawed: HB 1116

Supplemental 1984 budget adopted: *SHB 1200, CH 2

Training work, state forces limitation does not apply: SSB 4343

Transit systems, cities cannot tax county-owned: HB 1490

Two-way left turn lanes, clarifications: *SB 4289, CH 12

TRI-CITIES

Consolidation of Pasco, Kennewick, Richland: *SHB 1435, CH 8

TRUSTS

Trust law revised: *SHB 1213, CH 149

UNEMPLOYMENT COMPENSATION

Automation plan, appropriation: *SB 4342, CH 16

Benefit ratio computation: *SSB 4416, CH 205

Crime victims compensation, temporary total disability: *SB 4345, CH 65

Dislocated worker defined: *SSB 4829, CH 181

Dislocated worker eligibility: *SSB 4829, CH 181

Disqualification from benefits, sexual harassment: HB 1143, HB 1462

Educational employees, contract services: *SHB 1439, CH 140

National guard, special, exemption removed: HB 1643

On indicator, 6% trigger, 4/30/84 expiration removed: HB 1676

Unemployed, not period covered by collective bargaining agreement: *SSB 3561, CH 134

UNIVERSITY OF WASHINGTON

Forest products, provisional center for international trade, UW: *SHB 1205, CH 139, SB 4514
 General obligation bonds, capital improvements: *SSB 3942, CH 264
 Marianne McCusker, best wishes, academic endeavors: *HFR 157
 Math, engineering, and science achievement program: *SB 4432, CH 265
 Medical student loan forgiveness: SHB 1566
 Self-sustaining programs authorized: SHB 1360
 Teacher training, pilot project: SHB 876

UTILITIES AND TRANSPORTATION COMMISSION

Detariffing of certain services: SB 4519
 Excursion service companies regulated: *SSB 3758, CH 166
 Fire trucks, licensing for excess weight permitted: HB 1486
 Legal messengers exempted from WUTC regulation: *SSB 4050, CH 171
 Low-income utility rate rules to be adopted: SHB 550
 Mandatory local measured telephone service rates, study: SSB 4667, *SHB 1625, CH 3
 Private carriers regulated for safety: HB 1465
 Railroad crossings, reletterized whistle post: HB 96
 Railroad properties, public utilities and transportation corridors: HB 1703, *HB 1413, CH 143
 Taxicab companies, regulated: *SSB 3064, CH 126
 Telecommunications defined, transmission of information: HB 1545
 Telephones, reverse customer access line charge: *HFR 115
 Telephones, study, cost of local exchange service: HB 1580
 Water company redefined for jurisdiction purposes: HB 1451

UTILITIES (See also WPPSS)

Attorney general, public counsel section, report on WUTC actions: HB 1580
 Bid requirements, public works, relates to sales: SHB 1406
 Electric power and capacity contracts: SHB 1556, HB 1575
 Electric space heating termination restricted: *SSB 4490, CH 251
 Electricity, privilege tax: HB 1498
 Electricity transmission outside state exempt: HB 1678
 Energy development and financing, interstate compact: HB 1598
 Group insurance for employees: SB 4341
 Joint operating agency operations and procedures modified: HB 1592
 Low-income citizens, reduced utility rates: HB 1631
 Low-income customers, voluntary contributions: *HB 1361, CH 59
 Low-income rates may be adopted: SHB 550
 Low-income rates to blind, handicapped, or veterans: SB 4347
 Meter tampering is theft: HB 921, SHB 921
 Railroad properties, public utilities and transportation corridors: HB 1703, *HB 1413, CH 143
 Taxation and assessment, extension, penalties: *SB 3262, CH 132
 Treaty authorized, Canada, PUD'S: *SHB 1778, CH 1
 Underground utilities, damage procedures: *SHB 857, CH 144
 Water company redefined for jurisdiction purposes: HB 1451

VETERAN AFFAIRS

Allowable income study by LBC: 2SHB 1600
 Benefits, qualifying class expanded: HB 1258
 Civil service examinations: HB 1432, HB 1572, *SSB 4620, CH 36
 County auditor, marital status documents: *HB 1395, CH 84
 Fisheries stamps or punchcards, vets over 65, free: SHB 1362
 Law school credits for WWII survivors: HB 1292, *SB 4437, CH 117
 Loan insurance program repealed: SB 4291, *HB 1108, CH 29
 Meeting places, annual rental amount increased: HB 1291, HB 1544
 Relief fund: SSB 4259
 Tuition and fee exemptions, service-connected disabilities: HB 1476
 Utility rate reduction, low-income: SB 4347
 Vietnam war, dead or missing honored: *SHB 1266, CH 81

VETERINARIANS

Disciplinary procedure consolidation with various health professions: HB 1178, *SHB 1178, CH 279

VOCATIONAL EDUCATION

Defense worker retraining: HB 1601
 National vocational education week: *HFR 139
 Outstanding scholars recognition program: HB 1261
 Vocational excellence award program: *SHB 1613, CH 267
 Vocational technical institutes' accounting procedures: HB 1711

VOLUNTEERS

Chore services, volunteer program established: HB 1214

VOLUNTEERS—cont.

Cooperative fish and wildlife enhancement projects: 2SHB 1231, *SSB 4367, CH 72

WASHINGTON STATE UNIVERSITY

Commodities trade (impact) center: SB 4398, *SHB 1207, CH 57

Coordination with EWU: SHB 1363

Self-sustaining programs authorized: SHB 1360

Small business assistance coordinating council: *2SHB 689, CH 282

Small business development center: HB 1616, *SB 4668, CH 77

Spokane higher education consortium: HB 1197

WASTE DISPOSAL (See also HAZARDOUS SUBSTANCES)

Electric generation by municipal corporations: SHB 710

Recyclable materials, solid waste ordinances do not apply: HB 1577

Renewable energy waste management system: SHB 1618

Solid waste management: *SHB 1164, CH 123

Waste disposal and management facilities defined: HB 1171

WATER

Comprehensive plan, ground water supply: *HB 1138, CH 253

Comprehensive water resource management: HCR 46

Cooperative wetland and riparian habitat conservation act: HB 1141

County roads, improved, adjacent to water, vacation: HB 1167

Forest product storage and transportation on state waters: *SHB 1407, CH 60

Ground water, aquifer protection and regulation: SSB 3415

Ground water code revised: SHB 1139, HB 1541

Hazardous systems, DSHS may shut down: HB 1365, SHB 1365

Minimum flows required before permits issued: HB 1633

Protections for property buyers if unpotable: SHB 1241

Public supply systems, water quality tests: *SHB 1191, CH 187

Public systems, access restrictions authorized: SHB 1584

Public systems, emergency authority to suspend or operate: HB 1298

Tax credits for facilities, modifications: *SHB 1118, CH 42

Underground water resources management plan: HB 1239

Water quality tests, public supply systems: *SHB 1191, CH 187

Water resources management, emergency commission: HCR 36

Water resources, underground, joint committee study: HCR 42

West Hylebos creek wetlands conservation area established: HB 1679

WATER DISTRICTS

Boards, 5 member boards allowed: HB 1533

Boundaries within city excluded from district: HB 1346

Commissioner compensation modified: HB 1338

Electric generation by municipal corporations: SHB 710

Hook up fees, cities may charge equitable share: SHB 79

Meter tampering is theft: SHB 921

Sale of district property, appraisal professional appraiser: *SHB 1666, CH 103

Transfer, county to municipal corporation: *SHB 1127, CH 147

Water company redefined for WUTC jurisdiction purposes: HB 1451

WETLANDS

Cooperative wetland and riparian habitat conservation act: HB 1141

West Hylebos creek wetlands conservation area established: HB 1679

WPPSS (See also JOINT OPERATING AGENCIES)

Bond authorization elections, eligibility for voting expanded: SB 3001

Dangerous wastes from energy facilities: SHB 1581, *SB 4607, CH 237

Executive board compensation limits: SHB 1758

Financial resolution called for: SCR 107

Joint operating agency operations and procedures modified: HB 1592

Nuclear generating projects, all debts retroactive: HB 1575

Open public meetings: SHB 631

Plant 2 self-sustaining chain reaction commended: HFR 114

YAKIMA RIVER

Hydroelectric development: SSB 3873

